

Minutes of a Regular Board Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, March 15, 1988 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
Denise Civiletti, Councilperson

Also Present: Patricia Moore, Town Attorney
Irene J. Pendzick, Town Clerk

Councilperson Civiletti offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Minutes of Regular Board Meetings held on February 23, and March 1, 1988 are dispensed and approved without objection."

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The heads of the departments of town government are present this evening should anyone have any question of them. Reports Mrs. Pendzick."

REPORTS

Conservation Advisory Council-Minutes of meeting of 2/24/88. Filed

Tax Receiver-Collections as of 3/10/88; \$16,037,435.71. Filed

Planning Board-Approval of minor subdivision "Waterview Court"; Approval for final plat "Landworks Partnership", and minor subdivision of John Kujawski. Filed

Building Department-Month of February 1988. Filed

Riverhead Fire District-Annual Report for 1987. Filed

Police Department-Month of February, 1988. Filed

Open Bid Report Road Sweeper - Highway Department Filed

1 Bid Submitted
Bid Date: March 3, 1988

#1 NAME: GEORGE MALVESE & CO.
ADDRESS: 530 Old Country Road, Riverhead, NY
TOTAL BID: \$95,887.00
TRADE IN: \$ 4,402.00

REPORTS, ContinuedOpen Bid Report - Bucket Truck - Street Lighting District

Filed

Bid Date: March 14, 1988
1 Bid Submitted

#1 NAME: TRIUS INC.
ADDRESS: 369 Duffy Avenue, Hicksville, NY
TOTAL BID: \$69,982.00

Open Bid Report - 1988 International Cab Chassis - Highway

Filed

Bid Date: March 14, 1988
1 Bid Submitted

#1 NAME: TRYAC TRUCK & EQUIPMENT CO., INC.
ADDRESS: P.O. BOX 98 Route 58, Riverhead, NY
TOTAL BID: \$76,495.00

Open Bid Report - Ambulance Facility

Filed

Bid Date: March 10, 1988
7 Bids Submitted

#1 NAME: MID-ISLAND PLUMBING AND HEATING
ADDRESS: BOHEMIA, NY
TOTAL BID: \$22,880/Plumbing
\$21,490/Heating

#2 NAME: APPOLLO CORP.
ADDRESS: BAYSHORE, NY
TOTAL BID: \$14,979/Heating

#3 NAME: LIPSKY CONSTRUCTION
ADDRESS: BAYPORT, NY
TOTAL BID: \$23,000/Plumbing
\$290,200/Construction
\$16,250/Heating
\$31,454/Electrical

REPORTS Continued

#4 NAME: ROBERT O'BRIAN
 ADDRESS: CENTER MORICHES, NY
 TOTAL BID: \$19,674/Electrical

#5 NAME: ISLAND PRIDE CONSTRUCTION
 ADDRESS: MEDFORD, NY
 TOTAL BID: \$367,175/Construction

#6 NAME: BRITE LITE
 ADDRESS: MASTIC BEACH, NY
 TOTAL BID: \$22,272/Plumbing
 \$372,000/Construction
 \$16,472/Heating
 \$22,927/Electrical

#7 NAME: ELMONT ELECTRIC
 ADDRESS: HAUPPAUGE, NY
 TOTAL BID: \$35,000/Electrical

Supervisor Janoski, "Applications."

APPLICATIONS & PETITIONS

Site Plan-The Bluffs Phase II. Filed

Site Plan-Seawatch Landing. Filed

Special Permit-Greg Gentile-Fly model plans, Manorville. Filed

Petition-61 Residents request that special permit of Augsta Schneider be denied. Filed

Site Plan-Blackman-add warehouse to existing facility on Sound Avenue. Filed

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

James DeLuca, 3/1/88-Submits resignation as Building and Zoning Administrator. Filed

3/15/88

CORRESPONDENCE, Continued

S.C. Department of Public Works, 2/4/88-Expressing concern re: impact of Hubbard condo application on Cross River Drive. Filed

Marianne White, 3/4/88-Expresses perception that members of community feel "discouraged and distressed" by feelings of "impotence" in decisions re: future planning. Filed

Riverhead Fire Dept., 2/22/88-Invitation to attend Annual Inspection and Memorial Service on 5/1/88. Filed

Edmund Hodun, Jr.-Submits resignation as AEO as of 3/25/88. Filed

Southampton Town, 3/9/88-Notice of Adoption of Local Law #2 of 1988. Filed

Sue Milowski, 3/9/88-Expresses concern re: drainage and requests DEIS for proposed condominiums on Elton Avenue. Filed

Supervisor Janoski, "Thank you. The time for the first public hearing has not yet arrived. We have a lengthy list of Unfinished Business. The words in parenthesis after the application indicate where they are in the process. There are about two minutes or so left. I would recognize anyone who wishes to be heard on any subject. Steve."

Steve Haizlip, Calverton, "I noticed on Route 58, three models on Segal's property. I don't ever recall any open model where people come in and look at in the Town of Riverhead but there's always a first. So now what I'm thinking, if those models are there and houses are going to be constructed, where are they going to be constructed when they are sold and have there been any hearings or input on it. And if there has, I might have missed it. Did it have all these good DEC's and DEIS's and all this stuff done?"

Supervisor Janoski, "It had application to the Zoning Board of Appeals for the use of the property for the purpose of models. The property is zoned Industrial "A". The Zoning Board of Appeals did grant that variance. They did come before the Town Board. The Town Board granted permission after public hearing. Also, we put in a number of restrictions regarding the signage and the use of pennants and banners and that type of thing. Also, there is a provision that within a period of time which I believe is five years, that they must be removed from the property. As to where the homes are actually going to be built, I don't recall. But it's not there."

Steve Haizlip, "That's a good question. I know it won't be there but is it going to be in the Town of Riverhead somewhere in a big open land? That's why I'm asking if all the good stuff has been done and studies and the DEC's and DEIS's and all that stuff. So when they build the house it's automatically there and in place and the sewers and all that. Very good."

Supervisor Janoski, "The time now has arrived for the first scheduled public hearing. Let the record show that the hour of 7:45 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

3/15/88

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publication and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, March 15, 1988 at 7:45 p.m. to hear all interested persons who wish to be heard regarding: An Amendment to Article II of Chapter 103 of the Town Code re: Landfill Fees.

Supervisor Janoski, "If you would."

Patricia Moore, "This is a change to the Landfill Fee for commercial vehicles. We had a public hearing previously on February 23rd, I believe. And at that time, the date of the hearing, there was too many changes to feel comfortable with this. We re-published and posted and we have a second opportunity for anyone who has comments on this to be heard."

Supervisor Janoski, "Thank you. I would open the meeting now to testimony on this amendment to the Landfill Fees. That being the case and without objection, I declare that hearing to be closed."

7:45 PUBLIC HEARING CLOSED AT 7:47

Supervisor Janoski, "There are several minutes remaining before the second scheduled public hearing. I would once again, open the meeting to anyone who wishes to address the Board on any subject."

Rob Goldman, Northfork Environmental Council, "Will there be a vote tonight on extending the permit for Broad Cove project?"

Supervisor Janoski, "Yes."

Rob Goldman, "We would request that the Board table that for two weeks in light of the fact that there's been a violation of the D.E.C. permit. We were in communication with D.E.C. today and they visited the site yesterday and informed us that there was a violation and that they were compiling a report and forwarding that on to the Board in due course. So we ask you to table that resolution for tonight. Thanks."

Supervisor Janoski, "Thank you. Is there anyone else who wishes to address the Board? Ok. Let us take up the resolutions."

RESOLUTIONS #174 - #187 found on pages
of 1988 Resolution Book 353-380

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

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, March 15, 1988 at 7:55 p.m. to hear all interested persons who wish to be heard regarding: The Extension of Riverhead Parking District to include property of Hallock Luce.

PUBLIC HEARING, Continued

Patricia Moore, Town Attorney, "At this time, if anyone wishes to be heard regarding the inclusion of Hallock Luce, if you'd like to be heard regarding the property of Hallock Luce, III which has been described in this resolution and has been published and posted as such. If you'd like to be heard."

Supervisor Janoski, "What it is is that the parking district has boundaries. And what we have is the interest for the inclusion of this property within the tax paying district of public parking. Is there anyone present who wishes to address the Board on this? Mr. Luce."

Hallock Luce, III, "Members of the Town Board, I don't get this opportunity very often. Maybe I should have just sat down and be quiet but I thought maybe there was some questions. And as I pointed out to you in the petition for this change, I'd like this property to become part of the parking district."

Supervisor Janoski, "Why don't you just for the record, tell everybody where the property is."

Hallock Luce, "The property is located across from the Riverhead Firehouse and when my father was practicing medicine and until when he died, that property being across from the Firehouse, decided that there would be no parking allowed across from the Firehouse. So that's a no parking area and it really would be to everyone's advantage if there was access from the parking district into the property and we have petitioned the town to allow us to have a gate there that will be kept locked. So it won't be a public thoroughfare. In exchange, the property at 21 East Second Street will be part of the parking district and the fee which will be paid to the town will be the additional taxes and will be quite a substantial amount."

Councilman Pike, "Just so it's clear, you're not talking about adding parking on Second Street. You're talking about access to the new First Street Parking Lot?"

Hallock Luce, "That's right. Access from the parking lot to the property on Second Street. I think that some people thought possibly the town was going to have the property and buy the property and have access from Second Street to First Street but that is not the intention."

Supervisor Janoski, "The house itself would be considered part of the parking district. So that if a Doctor for example, purchased that house, his clients would be able to park in the parking district."

Hallock Luce, "That's the reason we requested to become part of the parking district."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Board on this application?" That being the case and without objection, I declare the hearing closed. Let's do a resolution."

7:55 PUBLIC HEARING CLOSED AT 7:58

Supervisor Janoski, "Let the record show that the hour of 8:00 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:00 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, on Tuesday March 15, at 8:00 p.m. to hear all interested persons who wish to be heard regarding the Establishment of a proposed extension to the Riverhead Water District to be known as Extension #42-Roanoke Avenue.

(See Water District Minutes)

8:00 PUBLIC HEARING CLOSED AT 8:08

Supervisor Janoski, "Let's do one or two resolutions."

Resolution #188-#190 found on pages 381-383
1988 Resolution Book

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

PUBLIC HEARING - 8:10 p.m.

I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall on Tuesday, March 15, at 8:10 p.m. to hear all interested persons who wish to be heard regarding: An Amendment to Section 108-3(A)(3) of the Town Code entitled "Notification of Public Hearing on Special Permits".

Patricia Moore, "We currently have the ordinance that reads that a special permit requires notification to property owners within 500 feet of the property requesting a special permit. That procedure is being done currently by the Town Clerk and it's time consuming. Therefore, we're changing the ordinance to require the applicant to make that notification and then submit an affidavit stating that the notification has been done. If anybody wishes to be heard?"

Supervisor Janoski, "Is there anyone present wishing to address the Board on the matter of the change to section 108-3? Mr. Kasperovich."

William Kasperovich, Wading River, "Before I comment on this item, I would ask that the floor open the comments to the public such that comments could be made on the resolutions yet to be presented. Thank you. With regard to this change of procedure, the

PUBLIC HEARING, ContinuedWilliam Kasperovich, Continued

only concern that the Town Attorney gives us is time consuming and I assume that is interpreted in dollars and cents. Now, if the Town Clerk wishes to diverse itself of this procedure, this responsibility, then I say it's our responsibility that the work done by somebody else is spelled out specifically in the same sense that the Town Clerk's Office would spell it out. In other words, I'm saying an affidavit alone is not equal to the work done by the Town Clerk's Office. And if an honest party is doing this work, it would not be any additional burden on them to list exactly who they contacted and exactly what acknowledgement they got from them. This would eliminate a lot of work on somebody else's part that may want to check the man's affidavit. I've been in this room for enough years to see enough people lie like h--- up here and nobody takes them to task for it. If we ask them to do the work exactly as the Town Clerk has done it and present it with their affidavit, it would then be an equal to what is being done and the responsibility would then be without question."

Supervisor Janoski, "Bill, let me just say; who we are relieving here is the taxpayers in the town because it is they who pay for the notification of people and property owners within 500 feet under the previous system. And we say no reason to have that at the taxpayers expense when someone is making an application. Also,.... If I could finish Bill and then you certainly can go on. There is also the requirement of the return receipt for the certified mail. So there is ample demonstration that indeed, the individual property owners within 500 feet of the application have been notified as well as a sworn affidavit that they have followed the required procedure. And I don't know anyone who would jeopardize their application or granted permit if that's the case, by telling a falsehood in what is really a judicial procedure."

William Kasperovich, "I don't agree with you on several points. With the Town Clerk doing the work, we know without question, that it is done and done properly. Now, this is (to me) more of a concern than what it costs. Because this way, we know who did it and they did it well. The other point is that many contractors, developers, speculators, become owners of record prior to the listing of the individual or company at the Assessors Office such that the current name and address is difficult and time consuming to reach and this would have to be spelled out so that we know who was reached and who acknowledged the notice. Consequently, I mentioned listing the parties that were reached and their acknowledgement."

Supervisor Janoski, "Thank you Bill. Is there anyone else who wishes to address the Board on this matter? That being the case and without objection, I declare the hearing closed."

8:10 PUBLIC HEARING CLOSED AT 8:18

Supervisor Janoski, "Mr. Kasperovich, we are going to take up resolutions. Did you have a particular resolution that you would like to address?"

PERSONAL APPEARANCES, Continued

William Kasperovich, "The particular resolution is number 193. This is the renovation of the Eastlawn House. I have heard people approach the Town Board with regards to use of this building and I believe that a number of people would like to use the building that is not a particular living, functional need for the people of Riverhead. We do need space and we do need improved space for the function of the Town of Riverhead. I can not see making the archives or a museum or what have you. That to me, is not a functioning need of the town. We need space with which to function. Now, this building has been left vacant for quite some time. And by the way, we didn't get this building for nothing. We had to give up things so that it would be given to us and we had to pay for this. And I think we traded dearly for it. So that this is nothing that we just found as a freebie. Now, I think we should use it for the function of the town. If you want an example, I'll say as I said before, get the Juvenile Department out of the cellar. Get them detached, official them so that when children and parents come with their contrastrophies and disasters from their home, that they will be in a less official area and a more congenial atmosphere. As it stands now, they're down in the cellar and nobody seems to speak up to get them out of of there. But to use this building for anything other than the people that are living and need the function of the Town Hall, this square footage should be used for the people. I don't think I made myself too clear here but I'm rather emotional about this. We cry that we don't have enough space. We cry that we don't have the facility of which to do something. And yet, we will use this valuable space for something that is non-functional. And so, I can't let this resolution go by without speaking up because there are needs for it. It seems that the people that really need it aren't speaking up. Thank you."

Supervisor Janoski, "Thank you Bill. I would, and I'm probably going to be sorry for doing this but I'm going to do it anyhow, disagree with your characterization as a trade off, a quick propo of giving up something. The owner of that piece of property did not have to give that house to the town. He in fact, had to give up something. He had to amend his plans and it was through negotiations with that owner who did turn over the house and property in tact because his plan (original plan) was to demolish that house. And I'm quite proud that we went to work and got it saved. Giving away nothing because he had the right to tear it down and he in fact, himself, had to make changes in his plan in order for that building to be turned over to the town. This resolution is for the renovations of the property. Actually, restoration would be better. Because what we're going to try to do is bring it back to what it originally was and it says nothing about the use of the building. Thank you Bill."

William Kasperovich, "I don't know who you're referring to as an individual. But if we have a meeting of the mind, I sat through his presentation in your office. Unless I'm mistaken. To my knowledge, we conceded things to the man where it was to his benefit to give us the building where if he tore it down, we wouldn't be particularly happy to make concessions."

PERSONAL APPEARANCES, Continued

Supervisor Janoski, "Not true Bill and we can go over the site plans, the original site plans and the changes that he had to make to accommodate our desire to save it."

William Kasperovich, "I'll try to talk privately on this. Apparently you don't want to bring the man's name up. So I don't know exactly who you're talking about."

Supervisor Janoski, "I think it's unfair to an individual who recognized the desire of the town to save this building which was built in 1850. It's a landmark in the town. He worked with the town at our request, at our request to make changes to save that particular structure. And I think it's wrong to..."

William Kasperovich, "Mr. Supervisor, I can't see things your way. I don't why this exists for so many years. But if I were to donate something to the town, I wouldn't be ashamed to have people say that I donated it to the town. And here you're restraining from saying what a man donated to the town so I begin to question whether you're not trying to put one over on me once again."

Supervisor Janoski, "The record of the negotiations is public record. Every site plan, every change, is filed in the Town Clerk's Office and it's there and there is really no discussion or disagreement. It is lines drawn on a piece of paper. So at your convenience, we can go through that."

William Kasperovich, "Just like when I went to look for extension 33 and found no pieces of paper and it took almost six weeks to bring them to the surface."

Supervisor Janoski, "Well, if the Town Clerk doesn't have them, I do."

William Kasperovich, "So this is not so that you would go to the Town Clerk's Office and find papers."

Supervisor Janoski, "Thank you Bill for your testimony. Is there anyone else present who wishes to address the Board on what ever we're doing? Let the record show that the hour of 8:26 p.m. has arrived. The Town Clerk will read the notice of public hearing."

PUBLIC HEARING - 8:20 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Tuesday, March 15, 1988 at 8:20 p.m. to hear all interested persons who wish to be heard regarding: Amendment to Section 48-7(A) of the Town Code entitled "Application for Permit/Fee."

Patricia Moore, "This very simply is that the Town Clerk was authorized to issue the permits for the operation of motor vehicles on the beach and we are making it more convenient to the public to have the Superintendent of Recreation to issue the permits."

PUBLIC HEARING, Continued

Supervisor Janoski, "Thank you. Is there anyone present wishing to address the Board on the matter of this change? That being the case and without objection, I declare the hearing to be closed."

8:20 PUBLIC HEARING CLOSED AT 8:28

Resolutions #191-#193 found on pages 384-387
1988 Resolution Book

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

PUBLIC HEARING - 8:30 p.m.

I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall on Tuesday, March 15, 1988 at 8:30 p.m. to hear all interested persons who wish to be heard regarding: Request of Nancy Rinehart to over-rule the recommendations of the Conservation Advisory Council.

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

Lyn Gordon, Attorney, "Yes there is. We represent Mrs. Rinehart who owns the piece of property which is at the most northerly end of Roanoke Avenue on the west side, most northerly shore of Long Island Sound. The C.A.C. has recently turned down an application to construct a small deck approximately 12 by 25 on the end of a house which has been there, it's almost as old as I am. It was built some time in the 40's. That's just to give you an indication of how long this property has been there. The reasons which usually the C.A.C. puts forth for protecting the edge of the cliff are the accelerated erosion and the aesthetic and visual qualities. At least that's my understanding of the concern that the C.A.C. had. We would point out that that area has been stable. There's a great amount of vegetation. We're certainly not going to disturb it by our construction which is some 15 feet, 14 feet from the edge of the bluff. Our construction is absolutely diminutive. We're talking about four to six holes approximately four inches in diameter. We actually worked it out at the dinner table tonight. It's a little more than that because the structures are four by fours and we worked it out to nine significant figures. So I think the holes are actually five point six inches in diameter but I can't give you the circumference because I forgot how to do that part of it. We're talking about four to six of these to put some four by fours down in. Put some concrete around them and build a deck on top of it. So we're talking about as much as a diminutive kind of construction with no disturbance to the face and the amount of stormwater runoff from this small area of the deck, I think is absolutely inconsequential. Aesthetically, the main structure is there. An added deck is not going to change the face of the cliff in the Town of Riverhead. And I'd also point out that the Town of Riverhead allows vehicles to be driven down over the edge of the

PUBLIC HEARING ContinuedLynn Gordon, Continued

road onto the beach just adjoining this property. So if we're going to talk about cliff face and construction, perhaps we ought to concern ourselves with that as well. The standards are a little difficult so I worked with them from a practical difficulty point of view. If some other method of construction would be possible, not method but if some other location were possible so that the deck wouldn't be within the proposed 100 foot setback line from the cliff, it can't be. The whole house is within the 100 foot setback and has been there for some 40 years. It is an unnecessary hardship that you're asking not to build a deck? Yes it is. There was a small enclosed area there. I'm sorry. There was a porch there which last year was enclosed. And at that point in time, the Town of Riverhead issued a building permit allowing Mrs. Rinehart to put three sliding glass doors on the north face of the porch which it enclosed. Those doors now open to five to six feet above the level of the land. At that point in time, our clients were told they would have to get D.E.C. approval which they went out and got it. And somehow, the implication there would also be additional town approvals was not carried through. The building, the enclosure of the porch was constructed and so now we've got an enclosed porch with three sliding glass doors opening into nothing. There are no other methods of construction that are not exceedingly costly that would allow a small deck of this nature to be added on to the house without digging these four to six holes that we are talking about. But I think what you should consider mostly is we're not going to effect the erosion on the cliff. We have a very very small impact on what's going on if any. And the visual and aesthetic quality of the cliff area is not going to be disturbed. Mrs. Rinehart is also here who would like to speak for a minute. Did you have a question?"

Supervisor Janoski, "What would the distance, the setback from the your identified bluff to the edge of the deck closest to the bluff line be?"

Lynn Gordon, "Mr. Young's (I think it is) survey shows 14 feet. The whole house now is obviously back another 12 feet, 26 feet at the present time."

Councilman Boschetti, "Excuse me. What was the size of the deck?"

Lynn Gordon, "In toward the Sound, 12 feet out and 20, it looks like 26.4 feet across, parallel with the Sound."

Supervisor Janoski, "Let me point out for the members of the audience that this procedure is one that develops the Conservation Advisory Council has the responsibility for reviewing proposals, applications, for constructions in the areas such as the water-front areas, the bluff areas. They make recommendations to the Town Board regarding the application. If the applicant disagrees with the findings of the Conservation Advisory Council, they can appeal directly to the Town Board in this procedure which we are

PUBLIC HEARING, ContinuedSupervisor Janoski, Continued

having right now which does in fact, require a special permit and then the Town Board must make a decision. And that decision, if they disagree with the C.A.C. or over-rule the C.A.C., is to be a majority plus one. Having explained that, is there anyone... Mrs. Rinehart, you wanted to address the Board."

Nancy Rinehart, Riverhead, "I just had a few things I wanted to say. The beach house that I enjoyed as a child was destroyed by a fire in 1976 when my father was 73 years old. He had very little insurance so rebuilding was a great financial burden. The old house did have an outside deck and that was an extra that my father eliminated during construction. Last summer, I altered my existing porch as she said, with three sliding doors with full expectation of being able to walk out. And if they stay as they are with nothing in front of them, I'm afraid that children or somebody could open the sliding door and it would be a danger. For this project, I have spent at least \$6,000 already. I paid \$600 for a survey, Young & Young, which the state and town required to show exactly how far I was. The state was primarily interested in how far I was from high water mark. Some things confused me about the town's attitude towards my deck. I'm only a two month resident in Riverhead now. I live in Connecticut but I happened to ride down through Reeves Park at Christmas time and I almost fell out of the car when I saw this monstrous highrise that has just gone up in Reeves Park. And also, I've noticed this construction since last year. We knew some big thing was being built because this is on the west block of Reeves Park. A huge building has been constructed for which they had to dig out a great deal of the bluff and the cliff in order to facilitate construction. And not to mention the complex of condominiums that were allowed to be built in Baiting Hollow which is now Fox Hill. I utilize, as I said, the town facilities only two months out of the year. I always pay my taxes as my ancestors did before me, on this property dating back to 1825. My great great grandfather deeded the right-of-way to the Town of Riverhead and that also includes the public parking lot that the town uses east of me. And he deeded the right-of-way and gave the land for the parking lot in the 1870's for the sum of \$100. I just want to say that no one loves this land more than myself and my family and I would never do anything to detract from it aesthetically nor would I physically jeopardize it in any way."

Supervisor Janoski, "Thank you."

Patricia Moore, "Nancy, excuse me. Is the toe of the slope protected right now? Do you have a bulkhead at the toe of the slope?"

Nancy Rinehart, "We have two... We are jettied. I think that may be why we're not getting.... We use to get erosion years back. We could see every year a difference. Now, we're not seeing it anymore because we have so much growth on the hill. We have a lot of foliage and growth and possibly the jetties help that too and we are not getting erosion any more."

PUBLIC HEARING, Continued

Supervisor Janoski, "Thank you Mrs. Rinehart. Is there anyone else present who wishes to address the Board on the matter of this appeal? George."

George Bartunek, C.A.C., "I have two questions that I would like to ask the property owners. The house that burned down in 1976, do you remember. As I recall, that house was...."

Supervisor Janoski, "George, I hate to be a pain but if you could address the Board and we will get the answers."

George Bartunek, "Ok. The question that I have is, if anybody recalls what the setback was of the original structure and what the size of the original structure was, the square area coverage of the ground? The second thing that I feel I would like to address was a comment made by Mrs. Rinehart about the structure at Reeves Beach. Contrary to the recommendations, the written recommendations and the verbal recommendations of the C.A.C. and the Town Attorney that were made this summer, a building permit was issued for that structure. So for... Since Mrs. Rinehart brought that up, I feel that I would also like to address that particular matter. And it was over the vehement objection of the Town Attorney and the C.A.C. The entire structure, as Mrs. Rinehart stated, exists within a 100 foot setback of the bluff area which is indicated on the map of the site plan which was prepared by Young & Young. I did some simple calculations here of the square area coverage of the existing house and I came up with 1,376 square feet. That's not the total living space of the house but that is the ground area coverage of the structure as it is shown now. It looks like it's actually two houses that have been attached after (I guess) the 1976 fire. The proposed deck would enlarge the area, the ground area coverage by 419 square feet. And I believe the dimensions of the deck would be 12 feet by 32.4 feet. Just to correct a statement that was made a little bit earlier that it was 26. This is the north side of the house that I'm talking about. I'm not concerned about the six foot deck on the east side of the house. And it was stated by the attorney for the Rineharts, Mrs. Rinehart, the new deck would be within 14 feet of the crest of the bluff area. The rate of erosion in this area has been determined to be in excess of two feet per year by the technical report which was prepared in June of 1973. I think it's report number 18 prepared by the Marine Science Research Center at SUNY at Stonybrook. But I would agree with Mrs. Rinehart that the area probably is protected. To be completely honest, the area probably is protected from this extensive erosion probably by the growing that's been placed there. But it doesn't seem to be excessive erosion because of that jetty that's been built there. As you are probably aware, it is C.A.C. policy to discourage construction within 100 feet of the crest of the bluff unless a hardship can be proven. And it is not the opinion of the C.A.C. that denying this application would necessarily be a hardship to the property owner in this situation. The proposed town management ordinance that the C.A.C. has developed in cooperation with the Planning Department would classify the area that the deck is going to be built in or the proposed deck and (in fact) the entire area that the house is now situated in as an erosion hazard area. Now, this is a code that's being proposed and has not been adopted as

PUBLIC HEARING, ContinuedGeorge Bartunek, Continued

yet. In addition to that, the proposed code will restrict the enlargement of structures or the addition on to existing structures to 25% increase of ground area coverage. The addition of this particular deck on to the existing structure would enlarge the ground area coverage in excess of slightly more than 30%. The deck would be constructed within what is defined as a structural hazard area as defined in the coastal erosion management regulations Article 34 of the State Environmental Conservation Law. This is a law also which has not been adopted. It has been drafted by the state in the early 1980's. The state is waiting for final approval of regulation maps. Supposedly, this law will become in effect towards the end of 1988. So again, we have a policy here. We do not have a law which has been adopted yet. Structural hazard area means those shorelands other than natural protected features subject to erosion and located land near the shoreline having an average annual recession rate of one foot or more per year. The inland boundary of a structural hazard area is calculated by starting at the leap landward limit of a bluff and measuring along the line which is perpendicular to the shoreline. A horizontal distance which is forty times the long term annual average recession rate. Using this definition, half of the house itself would be within this structural hazard area as defined by the state law. Furthermore, this Article 34 goes on to state that the construction or replacement of a non-moveable structure which is what the deck would be, or major non-moveable addition to an existing structure which is any addition to a structure which would be in excess of 25%, is prohibited within structural hazard areas. In light of all the different concerns that I have addressed here or that have been brought up, the C.A.C. stands by its recommendation that this application be denied. Thank you very much."

Councilman Pike, "George, two quick questions. What is the elevation of a house above sea level?"

George Bartunek, "That I don't know. I would say at least 60 feet. The elevation must be on the survey."

Councilman Pike, "The second question. What is the nature of the sand or grass immediately in front of the house that would be covered by the deck?"

George Bartunek, "I believe it is stabilized by some vegetation and the growings. I don't believe it's very heavily vegetated. I can't recall off hand but I believe there is some vegetation there to stabilize the slope."

Councilman Boschetti, "I have a question George. What would be the significance in knowing the setback and coverage of the original structure as you stated?"

George Bartunek, "I was just curious to see the statement that was made by the attorney for the Rineharts is that this was a structure that has been there for some 100 odd years."

PUBLIC HEARING, Continued

Nancy Rinehart, "I said forty years."

George Bartunek, "The original structure has not been there forty years. The original structure has only been there... The existing structure that we have there now, I believe that house was moved there after the '76 fire if I'm not mistaken. And the point that I'm trying to make is that perhaps that house was further back from the bluff. It wasn't."

Supervisor Janoski, "Mrs. Rinehart, I will give you an opportunity to come up to the microphone. It is the view of the C.A.C. that this 12 by 36 inch deck which has, is going to cause irreparable damage to the bluffs and in fact, speed up erosion and destroy the plantings (not the plantings) the vegetation of the bluffs?"

George Bartunek, "Probably this is a very grey area. You are asking me to comment on something which is probably contrary to what the C.A.C. members would want me to say. Personally, I would feel that this particular one small project is not going to effect the stability of the bluff area. That's my own personal opinion. But the problem here is that with the proximity of this structure to the bluff is that it sets a very bad precedent or example to other property owners that may also want to build similar structures and that have been built illegally as you're well aware of along the entire bluff area of Riverhead."

Councilwoman Civiletti, "I'd like one thing clarified. You stated before that there was (I think) determined that there was an erosion of two feet per year."

George Bartunek, "That's correct."

Councilwoman Civiletti, "And then you also stated that this area was protected. Is that erosion rate for this specific site?"

George Bartunek, "If you look at the study that I have in the Planning Department, the area where they are indicating an erosion of 2.7 feet per year. Two point seven or something like that is located within probably 500 feet of that particular area at Roanoke Landing."

Councilwoman Civiletti, "And what is the impact of that on this particular site?"

George Bartunek, "The potential for erosion is there. You could have a severe storm like the storm we had in 1978 and you could have a tremendous increase in erosion from this particular area. The entire area, whether it's two feet or whatever it happens to be, the entire area from Reeves Beach all the way down to Iron Pier (everywhere) is in excess of one foot per year. Now, that one particular area apparently has been the growing which has been developed there or built there does seem to have some kind of effect on stabilizing that one small location there. It doesn't seem to be eroding as rapidly as in 1973. So that was 15 years ago. I don't know if 30 feet has been removed in 15 years or not. I really don't know."

PUBLIC HEARING, Continued

Councilman Lombardi, "George, has there been anything on a compromise instead of having 12 feet down to 6 feet?"

George Bartunek, "I will leave the compromise up to you gentlemen. The C.A.C. is going to make it's recommendation based on environmental concerns. And if we were to sit down with the property owner, perhaps we could work out a compromise."

Supervisor Janoski, "George, thank you very much for your appearance this evening and your testimony. Hang on there Steve. Mrs. Rinehart or council, whoever would like to address the question. There was a couple of questions raised and you wanted to add some other testimony. The way you were jumping out of your seat there I thought that you wanted to say something."

Nancy Rinehart, "Did you have a question?"

Supervisor Janoski, "George asked the question concerning the original house, the structure that burned. What its square footage was at that time and what the setback was."

Nancy Rinehart, "It was rebuilt on the same foundation."

Supervisor Janoski, "Ok. That answers both those questions doesn't it. You were leaping to your feet there."

Joan Young, "The only thing I can testify for...."

Supervisor Janoski, "Mrs. Young, if you would please."

Joan Young, "Having lived up there since the forties when my father in law built the house...."

Supervisor Janoski, "You see, the microphone can't see who you are and you have to identify yourself."

Joan Young, Brook Street, "I'm Mrs. Rinehart's mother. I forgot what you asked me."

Supervisor Janoski, "The subject of rate of erosion has come up and you have experienced or visualized...."

Joan Young, "Prior to my mother-in-law putting in the growings, there use to be considerable erosion and none for years and years. I can testify to that. I've spent all my summers there."

Supervisor Janoski, "Thank you Mrs. Young."

Lynn Gordon, "I think the Board did a fine job of answering the comments that I might have had to the (I keep wanting to call it civilian) Conservation Advisory Council. I just want to point out again that the erosion that we're talking about doesn't in effect seem to effect this parcel. That we think the effect would be very small. I do apologize. The deck is 12 by 26 on the northern most. There's a jog in it (32) that looks like 26 on the survey at first glance but we're still talking about 300 feet give or take. The only other suggestion that I'd make is that perhaps

PUBLIC HEARING, ContinuedLynn Gordon, Continued

the C.A.C could give a little more definition in their letters as to what their objections are so that I could, or anyone could know exactly why they were objecting and what the policy is. We're talking about policies that may be put into effect and laws that may go into effect. I spent a lot of time digging through the C.A.C. files and trying to figure out why (for example) in the Robert's matter, the construction was allowed and what the standards were and I had a difficult time thrashing that out. I thank you for your attention."

Supervisor Janoski, "Sometimes interesting questions occur to me. And I want to add that where you seem to be saying that because there is this rate of erosion of 2.7 feet per year occurring and we don't want the deck to be there. And the question occurs to me that why are we concerned about it that if in seven years, it's not going to exist. Why do we want to stop this deck. But on the other hand, if there is no erosion taking place there, than that's the flip side of that the deck would probably not diminish the stabilized beach area and it's very perplexing to me as to why we are concerned about protecting something that will not be there seven years from now and why this deck should not be allowed to exist for six or seven years if one set of testimony is true that 2.7 feet per year. Because what we will have there is air. And it's happening right now without the deck. Maybe it will make it happen in six and a half years instead of seven, I don't know and we'll have to find out the answers to that. But if no erosion is taking place, then I said the other argument is that it is stabilized and the deck would have no effect."

Lynn Gordon, "I would have read Prouse before I came tonight if I knew we were going to get this heavy."

Supervisor Janoski, "Well anyhow, it's just one of those questions. Is there anyone else that wishes to address... Steve you had your hand up."

Steve Haizlip, "I decline. My questions have been answered."

Supervisor Janoski, "Ok. Thank you Steve. Yes sir."

Vince Scialino, Roanoke Avenue, "The gentleman from C.A.C. had made a statement that he's in fear of a precedant being set. Am I to believe that that's a statement that would be saying if you approve this deck, that someone came along in an area that wasn't stabilized, that you would have to allow them to have their deck?"

Supervisor Janoski, "In my opinion, no."

Vince Scialino, "Is that what he's saying though?"

Supervisor Janoski, "It's a question that that could be built upon."

PUBLIC HEARING, Continued

Vince Scialino, "Do I have to worry about that ever. That because there's been a case approved at one point that we would allow a deck in an unstable area to be constructed?"

Supervisor Janoski, "I would hope not. Because we have in the past in my tenure here as Supervisor, had very similiar applications for all sorts of things. Denied some, approved some depending on the merits of the case. That's what we're supposed to do here tonight is to look at the merits of the situation, the arguments that are presented on both sides and reach a determination. Is it a precedant? It is to the extent that it is an action identifiably taken by the Town Board in the case of this application."

Vince Scialino, "Are you going to make a decision tonight? As an attorney, can you get advice from an attorney what his odds would be if he was to present a case, make an application in the future in an unstable area based on the fact that you approved this one?"

Supervisor Janoski, "We certainly will take that up. Is there anyone else present who wishes to address the Board on the matter of this application? Yes sir."

Nick DePierro, Wading River, "I have a question. Maybe it's more for my own personal satisfaction than for the deck itself. Would a permit be required if a cement slab was put in place or a brick patio with steps leading to this area?"

Supervisor Janoski, "Yes. As a matter of fact, I would suggest more so. But yes, it is required. Is there anyone else present who wishes to address the Board? That being the case and without objection, I declare the hearing to be closed. Ok. We are going to take a short recess until 15 minutes past the hour of nine."

8:30 PUBLIC HEARING CLOSED AT 9:01

TOWN BOARD MEETING RECESSED AT 9:01

TOWN BOARD MEETING RECONVENED AT 9:15

Supervisor Janoski, "The meeting will return to order. Let the record show that the hour of 9:15 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:40 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, March 15, 1988 at 8:40 p.m. to hear all interested persons who wish to be heard regarding: Amendment to Section 108-3, "Special Permits, Subdivision (A) of the Town Code.

Patricia Moore, "The special permit law is currently inconsistent. It has some... Part of it says that if it does not have a time period with a special permit, that it is given in perpetuity. In other words, it will be valid for as long as that

PUBLIC HEARING, ContinuedPatricia Moore, Continued

special permit is in existence. On the other hand, later on in that same law, it says that if a special permit time period is not given, it is for a period of one year. To correct that inconsistency, we are taking out the period of time in perpetuity and we are making all special permits for a period of one year if not specified or one to three years if the Town Board designates a period of time in which that special permit is valid."

Supervisor Janoski, "I think very succinctly put. And all the money that your parents spent on law school was well spent. Is there anyone present who wishes to address the Board on the matter of this change? That being the case and without objection, I declare the hearing to be closed. Let the record show that the hour of 9:25 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

8:40 PUBLIC HEARING CLOSED AT 9:25

PUBLIC HEARING - 8:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, March 15, 1988 to hear all interested persons who wish to be heard regarding: Amendment to Section 108-3E (2), Application to Z.B.A.

Patricia Moore, "There is some more to our special permit process. The Zoning Board of Appeals, the variances that are requested, go through some notice requirement that requires the Town Clerk to forward certified copies of public hearing notices by certified mail to all property owners within 500 feet of the particular property. In order to save time, money, we now will require the applicant to make those applications or to send the certified mail."

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

William Kasperovich, "The same objections I had at the previous hearing on this matter, I put forth here once again without repeating. I do however, in this section that we're specifically having a public hearing on; the Town Board may require the sworn testimony of such persons as it deems necessary for a full and complete hearing on the application. I would rather that it not be such a thing that the Town Board may require but that the Town Board does require and the town requires. I don't think you leave any discretion to the Town Board after converting it to this basis, should leave it open."

Supervisor Janoski, "Where did you see the word may? Do you have the notice?"

William Kasperovich, "Next to the last sentence. Are you with me?"

PUBLIC HEARING, Continued

Supervisor Janoski, "All the way."

William Kasperovich, "We want to spell things out specifically and legally and correctly where you make the statement of all testimony at the public hearing before the Town Board shall be given under oath. Certainly we would expect people to know that they stand before the Town Board or its designated body, that person is under oath. And if such be the case, you want that to remain there. When some of these shady individuals come here before the microphone, I would ask that you have the man raise his hand and swear to the testimony that he is to present."

Supervisor Janoski, "It's funny you should mention that."

William Kasperovich, "No it isn't funny. We have mental telepathy that runs...."

Councilwoman Civiletti, "The Supervisor was just saying that before the meeting, Mr. Kasperovich. The Supervisor was saying before the meeting tonight that he was going to talk to the Town Board about having that done exactly because he feels that he is suppose to swear people in."

William Kasperovich, "Well, then I guess this is the first in seven years that we agree on something."

Councilwoman Civiletti, "I wanted to point that out."

Supervisor Janoski, "Thank you Bill. Is there anyone else present who wishes to address the Board on the matter of this change for the requirements of a variance? That being the case and without objection, I declare the hearing to be closed. Let the record show that the hour of 9:30 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

8:45 PUBLIC HEARING CLOSED AT 9:30

PUBLIC HEARING - 8:50 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, March 15, 1988 at 8:50 p.m. to hear all interested persons who wish to be heard regarding: Amendment to Chapter 75, Section 75-4 by adding Subsection J of the Town Code.

Patricia Moore, "We're going to require that all housing and covers that protect any size of underground tank, be painted bright yellow. This will also include for new and pre-existing tanks. This is more of a safety precaution."

Supervisor Janoski, "What we're talking about is kin to a manhole cover and it's for the purpose of identification should there be an emergency that fire fighters (for example) would be able to identify from the color of the cover just exactly what was there. Propane gas or whatever. And that is the require-

PUBLIC HEARING, ContinuedSupervisor Janoski, Continued

ment that would take place if this change in the Chapter 75 were adopted by the Town Board. Is there anyone present who wishes to address the Board on that change? Mr. Kasperovich, followed by Steve Haizlip. Would you raise your right hand Mr. Kasperovich."

William Kasperovich, "I live on 15th Street in Wading River when I'm not in the Town Hall. I swear to all that is holy that in good honesty and conscience that what I research and bring forth here is in the best interest of the township and the people that live here. Whether they like to hear it or not, I will bring forth what I think is right to my dying day. This particular item puts salt in an old wound because I did go into a long detailed dissertation on bottled gas, recommended changes, modifications, pointed out omissions and what have you. Then a resolution came and was passed. There wasn't one word or one letter changed. That drew blood. Now, you gentlemen put forth the wordage; all housing and covers that protect any size underground tank. In all my years of being involved with pipes and tanks and chemical plants, never did I hear anybody consider putting liquid gas underground. I have not seen one in Riverhead. Otherwise, I would have been up here talking about it. All the tanks I've seen are above ground and there are many reasons for them being above ground and not in the ground. That would consume too much time to get into. But you refer to the definition of containers, define what is liquified petroleum gases, lp gas and lpg. You refer to cylinders used for liquified petroleum shall be painted white, silver or other light reflecting color as approved by the Fire Inspector. Is this to say that the color for appearance alone is of concern. That is not the only major concern. The light reflecting is a matter of temperature for something that is outdoors. However, you are referring here to underground tank. And if anything, if we do have such a situation, we should have a public hearing to make introduction that underground tanks are not permitted in Riverhead. Now, I have seen in some areas of the muddy flats of Mississippi and on the Gulf by Alabama where the groundwater is about a foot from the surface and they have to go below the surface. There are double containers. That is a container within a container or there is a vault built. All of which are vented and with test equipment to show an over acculom of leakage. The same as your smoke detector. What we're talking about here is a liquid under pressure that we convert to gas. And it is a volatile substance and it should not be underground. We can think of no conditions in the Township of Riverhead that require it to be underground. Now, underground; it is a hazard. It should not be. If we are protecting something that is protruding from the ground, we go into things like posts, strong fences, barriers. Somebody along the line has the mentality to solve the problem with a coat of paint. This in itself indicates the definite lack of knowledge. And I say that this item should be withdrawn and sent back to where it came from for reconsideration and re-everything because this is ridiculous. Thank you."

Supervisor Janoski, "Thank you Bill. Is there anyone else present wishing to address the Town Board on this matter? Steve."

PUBLIC HEARING, Continued

Steve Haizlip, "I'm very much in favor of this marking procedure. Now, for an example, the military standards and the OSHA markings and conformity have all different colors for different types of liquids. Yellow is oil. Red is gas and green is oxygen and so forth on down. Now, any storage tanks, all these storage tanks that we have; Magee, Tuthill and maybe more. I strongly feel that each tank should have the triangle put on to it so that we could tell and the firemen or any safety people or what have you have to know that that particular one is oil and the other one is kerosene whatever color it has, gas red. So they know what they are dealing with. Because in the event of an extreme fire, they are not going to show up. I understand that and what they are. So if it's any consequences, it can be marked on a higher pole. Now, as far as oil tanks under the ground for the homeowners, if you feel the standpipe that is coming out which is fuel oil which I think goes in the class of kerosene and if it's yellow, we can paint them yellow. So when the firemen or whoever comes around, it will be spotted and they will say it's an underground oil tank right there in case the residence is on fire and they have to get there. So that's my recommendation and I think it's a good idea."

Supervisor Janoski, "Yes Ma'am. Thank you Steve."

Patricia Moore, "I have a memorandum from Ed Kukla who is the Fire Marshall for the Town of Riverhead and he encloses some pictures of different locations throughout the town where this situation exists and which painting would at least clarify where these plates are. I have a print shop on Route 58, ATV on Route 58, Showtime Stereo, Route 58, the rear of Hy Ting Restaurant, the Bagel Shop in front of Cheap Johns, a new dress shop at Route 58. It says here before painting being filled. And I have a dress shop here Route 58 after it was painted to show the kind of protection this painting would result in. I submit this for the record."

Supervisor Janoski, "Could you do it on the record?"

William Kasperovich, "I ask, are these photos of liquid petroleum starch?"

Patricia Moore, "I would presume so since it was submitted."

William Kasperovich, "Well, you can't presume it."

Patricia Moore, "I have the information which he gave me. I told you as much as I knew. He knew it was for this particular public hearing. So with that in mind, I would say yes."

William Kasperovich, "Well, then he should receive recommendation from the Town Board to go home and do his technical study to classify exactly if the oil is not in the same category with liquid petroleum. Oil is not under pressure. Oil is not a volatile substance, unlike gasoline. Liquid petroleum has its own characteristics and its own dangers. And if we... I can't conceive that all these places have underground liquid petroleum storage. And if it is, then we have a time bomb in our midst. That's how strongly I feel about it because I know what it can do and it should not

PUBLIC HEARING, ContinuedWilliam Kasperovich, Continued

be on the ground. It's a very corrosive substance. And when it breaks through the wall of the container, it doesn't go to the atmosphere. It is restrained in the ground and a pocket will act like a bomb. And so this is a serious matter. Such is the case, we should review each and every one of them. Thank you."

Supervisor Janoski, "Thank you Bill. Is there anyone else present who wishes to address the Board on the matter of this required painting of the manhole covers? Yes."

Carla Desposito, Flanders Road, "I'm familiar with the underground storage stuff at the Bagel Shop on 58. Could I see the photo? It's the one with the Laundry Mat? Yes. The side of that building there is a laundry mat and I use to use it and I looked at those poles. I wanted to see what they were. I thought that they were so that someone wouldn't back up and damage something. I don't know. They're strange sitting there in the middle of nowhere. And I saw that there was no cap on them because some juvenile delinquent came along and fooled around with the knobs. It's waiting. Very dangerous. So the town should be very responsible, have people go out regularly and make sure the covers are on. But before that, I would agree with that gentleman. I think that they should be visible. If there is a fire, they can be shut down and dragged away so they don't explode. They're underground. You're not going to have no fireman stick his face down there and shut the thing off and how are you going to drag it away anyway. You don't need a bomb. You don't need it to explode. I don't think they belong underground either. And I think that should be dealt with first. That you get them all above ground, fenced in, little roofs over them and people can see them. They have to be seen. They can't be hidden. And that that cap is off on that one. Whoever is responsible should look at it, get to the owner. People use it for a garbage pail. I've seen a lot of trash down there and I saw the knob. Someone should take care of it before something does happen. That's all I have to say about it."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Board on the matter of this change? That being the case and without objection, I declare the hearing to be closed. Let us take up the remaining resolutions."

8:50 PUBLIC HEARING CLOSED AT 9:47.

Resolution #194-#210 found on pages 388- 431
1988 Resolutin Book

#209 REQUESTS PLANNING BOARD TO RECOMMEND PROCEDURE FOR IDENTIFICATION OF PROJECTS.

Councilman Pike, "We are asking the Planning Department to make recommendations concerning the unifications of applications so that they travel through their review under one name preventing some of the confusion that is historically experienced. And I think you have a suggested improvement."

RESOLUTIONS, Continued

Councilman Pike, "Well, either I would make a motion to amend or we could just include it here that they respond prior to April 25."

#210 EXTENDS SPECIAL PERMIT OF BROAD COVE.

Supervisor Janoski, "Let me say that there have been allegations of violations of the existing D.E.C. permit. It was my feeling that the question of D.E.C. permits were adequately addressed. Within the extension of the special permit where it calls out that before August 8th (which is the expiration of the current permit) that a status report or a letter of status of the full force and effect of the D.E.C. permits be supplied to the Town Board. However, in view of the allegations of violations, in order to determine just what is the set of circumstances at that location, I will support the table."

Resolution #211-#214 found on pages 432-436
1988 Resolution Book.

Supervisor Janoski, "Without objection, adjourned."

Steve Haizlip, "Are you going to give us another time. About the existing warehouse of the existing facility on Sound Avenue, if I remember correctly, didn't he ask for a non..... Because I asked what is these rules and terminologies in zoning and he asked for a non-continuous or use to build a storage facilities?"

Supervisor Janoski, "Yes. A pre-existing non-conforming use."

Steve Haizlip, "Now, this is in addition to that?"

Supervisor Janoski, "Well, anytime that you want to expand a pre-existing non-conforming use, you must receive a special permit to do so from the Town Board. That is what he has applied for."

Steve Haizlip, "This is the second go round."

Supervisor Janoski, "I don't think it's a second go round. I think it's a continuation of the first go round."

Steve Haizlip, "Now, a quick comment. On that 191, I figured out why you went out of order and seconded the motion. You said you never done it before and I figured out what happened. Well, it is to show that you're not carrying a hatchet and you hold no animosity of being called Boss Hog."

Unidentified Speaker, "Why can't we have these ramps opened when the tide is at low water so that when it is low tide, we can put our boats in the water? We invest \$10,000 in a boat and I have to go down to Southold or Moriches to enter the water and I should be able to do it at no charge in our town."

PERSONAL APPEARANCES, Continued

Supervisor Janoski, "The crew that is responsible for maintenance in the Town of Riverhead has been directed to immediately at low tide to clear off the ramp and to remove the sand. I know that the Recreation Committee is going to be... They met today to discuss what needs to be done and to advise the Supervisor or the Town Board as to actions that have to be undertaken. We're moving with that kind of thing."

Unidentified Speaker, "One last thing. Are they doing anything to improve the ramp in Wading River?"

Supervisor Janoski, "We have a permit application presently going through the process for a brand new ramp up in Wading River. Of course, that's part of the problem. The other part is paying for it once we figure that out but we are going through the process with the D.E.C. of getting a permit approval for the installation of a new ramp in Wading River."

Unidentified Speaker, "Very good. I had one other question but it's on a different subject. I noticed here on Unfinished Business; the item under Valmont Homes for 113 condominiums on Elton Avenue. I didn't hear anything brought up on that this evening."

Supervisor Janoski, "We voted to rescind the...."

Councilwoman Civiletti, "...the notice to the applicant of our intention to rescind the negative declaration."

Unidentified Speaker, "Why didn't you say that? You didn't say D.E.I.S. You didn't say anything. You just voted to rescind the law you passed a year ago. Who the h--- knows about that."

Councilman Lombardi, "No. That was read. I read it. I read that."

Unidentified Speaker, "You didn't say D.E.I.S."

Councilman Lombardi, "Oh yes I did."

Unidentified Speaker, "I have the floor and if I can continue."

Supervisor Janoski, "And it's all on tape so we'll be able to find out who is right and wrong."

Unidentified Speaker, "If this matter is being referred to this agency as you say here, does that mean that any construction there is subject whatever that Board is going to say?"

Supervisor Janoski, "What it means is that the Board, in all likelihood, will require the preparation and submission of a Draft Environmental Impact Statement which will require a scoping hearing and the preparation of that document by the applicant which is a very lengthy process."

PERSONAL APPEARANCES, Continued

Unidentified Speaker, "Very good. Thank you very much."

Supervisor Janoski, "Without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 10:02 p.m.



Irene J. Pendzick
Town Clerk

IJP:nm