

2/10/87

Minutes of a Special Board Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, February 10, 1987, at 2:28 P.M.

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

Absent: Victor J. Prusinowski

WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

We, the undersigned, being all members of the Town Board of the Town of Riverhead, Suffolk County and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York, at 2:00 P.M. on the 10th day of February, 1987, and do consent to the holding of such meeting for the purpose of Considering the amended site plan application of River Center Associates and Glen Donovan, and any other matters that may come before the Board.

Dated: February 10, 1987

TOWN BOARD MEMBERS,  
TOWN OF RIVERHEAD, NEW YORK

Joseph F. Janoski  
Supervisor

John Lombardi  
Councilman

Victor Prusinowski  
Councilman

Robert Pike  
Councilman

Louis Boschetti  
Councilman

FILED.

Media called, 2/10/87 AM

News Review  
Long Island Traveler Watchman  
Suffolk Life

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RESOLUTIONS

#123 AMENDS MORATORIUM BOUNDARY

Councilman Boschetti offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, on January 13, 1987, the Town Board of the Town of Riverhead did enact a moratorium at the Southwest Sector of the Town of Riverhead, which moratorium is to remain in effect for six months from that date; and

WHEREAS, on January 20, 1987, the Town Board of the Town of Riverhead did pass a resolution which, subsequent to a prior moratorium, changed the Zoning Use District classification for properties located on Main Road (New York State Route 25) at the intersection of Fresh Pond Avenue, at Calverton, in the Town of Riverhead, New York, from Business B (shopping Center) to Business CR (Neighborhood Business - Rural), as such was shown to be the appropriate Zoning Use District designation for the area; and

WHEREAS, the planning studies undertaken as a result of the current moratorium do not contemplate an additional land use study of existing business properties or an amendment to same; now therefore be it

RESOLVED, that those properties which comprise the Business CR Zoning Use District, be and are hereby excluded from the moratorium; and be it further

RESOLVED, those uses legally existing on individual parcels, before January 13, 1987, before being improved, expanded, or maintained, may be excluded by the Town Board from the moratorium upon application, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Planning Board, the Zoning Board of Appeals, and the Building Department.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#124 APPROVES SITE PLAN OF GLEN T. DONOVAN

Councilman Lombardi offered the following resolution, which was seconded by Councilman Pike.

WHEREAS, a site plan and elevations were submitted by Glen T. Donovan for the construction of an equipment storage building to be located at Middle Road, Calverton, New York; and

WHEREAS, this Town Board has reviewed the site plan dated July 12, 1985, as revised January 15, 1987, as prepared by Young & Young, and elevations dated January 1, 1986, as prepared by Victor Cunzo.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Glen T. Donovan for the construction of an equipment storage

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RESOLUTIONS Continued:

building to be located at Middle Road, Calverton, New York, site plan dated July 12, 1985, as revised January 15, 1987, as prepared by Young & Young, and elevations dated January 9, 1986, as prepared by Victor Cunzo, be and are hereby approved, subject to the following:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recored with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and agrees to abide by same;

5. That receptacles of a decorative design shall be maintained at the premises;

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Glen T. Donovan hereby authorizes the Town of Riverhead to enter premises at Middle Road, Calverton, New York, to enforce said handicapped parking regulations;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code with regard to type, thickness and grade;

8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

9. Drainage and parking shall be provided pursuant to the Riverhead Town Code; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Glen T. Donovan and the Riverhead Building Department.

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RESOLUTIONS Continued:

DECLARATION AND COVENANT

THIS DECLARATION, made the \_\_\_\_\_ day of February, 1987, by Glen T. Donovan, residing at 1 Rutland Lane, Melville, New York 11746, Declarant.

WHEREAS, Declarant is the owner of a certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as provided by the Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;
3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;
4. Trash receptacles of a decorative design shall be maintained at the premises;
5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

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RESOLUTIONS Continued:

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness and grade;

7. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

8. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

Declarant has hereunto set his hand and seal the day and year above first written.

\_\_\_\_\_  
GLEN T. DONOVAN

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

On this \_\_\_\_\_ day of February, 1987, before me personally came Glen T. Donovan, the owner of certain real property located at Middle Road, Calverton, New York the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

\_\_\_\_\_  
NOTARY PUBLIC

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#125 AMENDS SITE PLAN OF RIVER CENTER ASSOCIATES

Councilman Lombardi offered the following resolution, which was seconded by Councilman Pike.

WHEREAS, a site plan was approved on January 24, 1984, covering premises owned by River Center Associates; and

WHEREAS, drawings showing additional windows have been submitted

NOW, THEREFORE, BE IT

RESOLVED, that the site plan of River Center Associates be and is hereby amended to include the revised site plan; and be it further

RESOLVED, that the Building Inspector be and is hereby authorized to issue building permit(s) for the additional windows on said building; and be it further

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RESOLUTIONS Continued:

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to River Center Associates and the Building Department.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 2:28 P.M.

IJP:bg

  
Irene J. Pendzick  
Town Clerk