

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Tuesday, June 6, 1989 at 7:30 p.m.

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

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

Supervisor Janoski, "Would Master John Gendron come forward and please lead us in the Pledge of Allegiance."

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Supervisor Janoski, "Thank you John. John is a member of Mr. Jim Schaefer's fourth grade class from the Pulaski Street School. They are visiting us here this evening, I would imagine, as part of an introduction to local government. Two members of the class are going to speak to the Town Board and I think, which of you is going to go first? Please tell us what your name is and where you live when you come up to the microphone."

Rashad Robinson, Calverton, "I am ten years old. I am just a kid but I have strong feelings about Riverhead. I think it's a great town to live in but it has a problem; pollution. It is a problem that we all have to solve together. I try to pick up paper and stuff around my house. I think these are some good thoughts. My class is going to clean up Pulaski Street school grounds. I'd like to encourage everyone in the audience to help clean up. Continue to Riverhead clean up days. Make people pay fines if they litter. And I'd like to congratulate Mr. Goodale and the others who take it upon themselves to help keep our town clean. If we did all that, Riverhead would be in very good shape. Let's keep Riverhead beautiful. Thank you."

Supervisor Janoski, "Thank you. Where were you when we needed candidates. Tell us your name and where you live."

Amerika Sanders, Flanders, "Hi. I would like to speak to you about a problem that has adults and kids concerned. The teenagers need a place to skateboard. They use to go to shopping centers but the policemen kicked them out. Skateboarding is gaining in popularity. I would like to present some reasons why the Town Board should help. Number one: skateboarding is healthy and fun. It's just like any other sport. Number two: Riverhead does not have much to do for teenagers. So skateboarding solves that problem. It also keeps the teenagers away from drugs and

crime. Boredom is one of the number one reasons why kids turn to drugs. Number three: Easthampton has given the skateboarders a place to skate also. They gave them part of a parking lot. Village officials have said they have had no problems with drugs or vandalism. There has been no problems with liability either. Riverhead should do the same. I would like to read you an article that says it all. The transaction was enacted without either kid speaking. To an observer, it would appear the boys were merely shaking hands. But in that moment, money and drugs exchanged hands. The boys nodded to signal the end of the transaction. Then they mingled with the other kids enjoying afternoon recess. After recess, the boy with the drugs slipped into the restroom. He pulled out a small glass pipe and quickly consumed the drugs. He wandered back to class and spent the rest of the school day in his own mind. When school was out, he wandered toward home but was in no hurry to get there. In the parking lot next to an office building, he saw some kids riding on skateboards. He stood and watched as they hopped their boards up and down the red painted curb. The colorful wheels and board graphics had captured his attention. The loud sounds of hard urethane and metal on the pavement blended into a melody. He wanted to slip away and get high again. Suddenly, two policemen walked around the corner. They marched over to the kids who stopped skating as soon as they saw the police. Now they stood nervously tapping the tails of their skateboards on the ground. One of the policemen pointed to the chips that had been knocked out of the edge of the sidewalk. The other policeman had pulled out a summons book and was writing in it. Each of the skaters were handed a summons. The policemen lectured them for a while. Then the skaters walked away carrying their boards. The boy watching, decided that was a good time to go away. He wandered down to the park by his house where he knew all the drug dealers hung out. He had enough money left to score another vile. Tomorrow he would steal some more money from his mother's purse so he could get high again. He was glad people didn't hassle him for the things he did. Thank you for listening. I hope you seriously consider this idea. We don't want to lose any more kids to drugs."

Supervisor Janoski, "Mr. Schaefer, would you stand please. I think you're to be congratulated. How about the mothers and fathers of these kids. Are they here tonight? Outstanding job and thank you for coming to this meeting. You guys could learn something about writing from those kids. Well, we're going to get on with the normal business now. Let me see now. We have the department heads with us this evening. Some of them must be here should anyone have any question of them. I also need a motion to approve the Minutes of a Board Meeting held May 16, 1989."

Councilman Pike offered the following resolution which was seconded by Councilwoman Civiletti.

RESOLVED, that the Minutes of Regular Board Meeting held on May 16, 1989 by the Riverhead Town Board are hereby 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, "Reports Mrs. Pendzick."

REPORTS

Tax Receiver-Collections as of June 2, 1989. Filed

Supervisor's Office-DEIS of "Village Square" for review and comment (Rte. 25, Calverton). Filed

Building Department-Report for May, 1989. Filed

Sewer District-Discharge Monitoring Report for the month of April, 1989. Filed

Supervisor's Office-Annual Financial Report for 1988. Filed

OPEN BID REPORT - Restroom Facilities, Jamesport Beach Filed

Bid Date: May 25, 1989
5 Bids Submitted

#1 NAME: Garret Construction

ADDRESS: Oakdale, NY

TOTAL BID: \$86,500.00/General Construction

#2 NAME: Abas Enterprises, Inc.

ADDRESS: Deer Park, NY

TOTAL BID: \$99,949.00/General Construction

#3 NAME: Terrence T. O'Hanlon & Sons

ADDRESS: Sound Beach, NY

TOTAL BID: \$93,600.00/General Construction
 \$37,600.00/Plumbing
 \$25,000.00/Electrical

#4 NAME: Ed Broidy Contractors, Inc.

ADDRESS: Floral Park, NY

TOTAL BID: \$93,400.00/General Construction

#5 NAME: Southfork Asphalt, Corp.

ADDRESS: Easthampton, NY

TOTAL BID: \$122,000.00/General Construction

Supervisor Janoski, "Applications."

APPLICATIONS & PETITIONS

Fireworks Permit-Riverhead Raceway for July 1, 1989. Filed

Carnival Permit-Riverhead Elks for June 28, 1989 through
 July 2, 1989. Filed

Change of Zone-Joseph and Dorothy Puleo-Industrial "A" to
 Business "CR", Route 25, Calverton. Filed

Open Air Permit-Polish Town Civic Association for fair and
 festival on August 19th & 20th, 1989. Filed

Petition-36 residents of the neighborhood surrounding the
 Riverhead Elks Club objecting to the issuance of a permit
 for any outdoor event. Filed

Site Plan-Shoppes at Riverhead, amendment to planting and
 landscaping plan. Filed

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

Southold Town, 5/25/89-Notice of Adoption of Local Law #7,
 #8 and #9, 1989. Filed

S.C. Dept. of Health, 5/15/89-Comments RE: DEIS of Casilen
 Condominiums on Osborn Avenue and copy of letter to D.E.C.
 re: impact of Additive Products Co. on local wells. Filed

Arthur McComb, 5/11/89-RE: Dangers of Shoreham Plant. Filed

P.C. Richard, 6/6/89-Requests permission to conduct a tent sale. Filed

N.Y.S. Dept. of Trans., 6/6/89-Advising "No Stopping" signs will be installed on Route 25, east of Riverside Dr. Filed

Sharon Hicks, 6/1/89-Submitting resignation as member of Conservation Advisory Council. Filed

Riverhead Lodge, B.P.O., Elks, 6/1/89-Extending invitation to Annual Flag Day ceremony on 6/14/89. Filed

Rachel Thomas, 6/1/89-Submitting resignation from Riverhead Police Department. Filed

N.Y.S. D.E.C., 5/25/89-Re: Proposed improvements to the Sewer District. Filed

Inge Schmelzer, 5/23/89-Re: Impact of Wild, Scenic and Recreational Rivers Act on her property. Filed

George Schmelzer, 5/30/89-Recites history re: lands around Peconic River and criticizes the Peconic River Study Report and says Peconic River should not be included in the Rivers Act. Filed

William Clancy, 5/26/89-Complimenting Water District staff on connection of water. Filed

Supervisor Janoski, "Thank you. There are about four minutes remaining until the first scheduled public hearing. I would recognize anyone who wishes to be heard on any subject. Steve."

Steve Haizlip, Calverton, "Mr. Janoski, I'd like to address the Highway Committee people, if you don't mind sir. On Route 25 and Peconic Avenue; we've got a problem with the lights. Now, when you're going east and the other vehicles are coming from the east and they are wanting to turn down Peconic, so when the light changes, it changes in both favors. So the people coming from the east and want to go down Peconic, they start going in that right-of-way as fast as they can go. So naturally, you've got to be a courteous guy and wait for them. And while you're waiting for them to go, now you've got people in the back and they're laying down on that horn and you'd be surprised at some of the names that come out. You get all that stuff. So what I'm trying to say here and to let the Highway Committee know about it, maybe that's a State road, I understand. But maybe there can be some other type of triggering or timing of that light so that we can get this so that they can make their turn. And when they finish, it will go in the easterly favor and they can take off. So you get the idea. Now, I've been reading in the News Review about

Mr. Mackie. He got elected to the School Board and I think back about 48 years ago, myself and people like John Lombardi all went to fight for freedom of speech. Now Mr. Fricke is suddenly becoming, according to the paper, he's becoming Adolph. You're going to do as I say. Now, the people elected him to represent the taxpayers of the community to try to help in cost. Now, a lot of people feel employment, compensations are currently way up. So I think he's going to look at that aspect. But according to the other Board members, he's got to be a yes man. Now, we didn't put him in there for a yes man. We put him in there to see what he could do to help keep this cost contained. Besides Sue Miller and Jeff Seivers being a good editorialist, now Ms. Civiletti has joined the ranks. She did a good job in publishing in News Review about the upzoning and she's asking for us to come out and speak up and talk. Well, I believe Mr. Paul Baker, along that line, has been very good at it. And I think Mr. Pekar sitting over to our left, has been very good about it. And myself, I've advocated a lot about this overcrowding of these houses and condominiums and other types of living quarters. Jamming them all together and getting as many in there as you can and getting as many dollars out of them as you can. You've advocated that Ms. Civiletti and I've yelled about it. Now, the final and last thing; again Ms. Civiletti. We had a Judge Jason report and I've been following through. Now, I don't know how good Mr. LaValle has been at the job. I never heard back from him except the time that he wrote back that he was a little frasse' so to speak. That's a French word for being a little mad. Because I guess maybe I was writing on him. Now, I noticed that this morning there's a gentleman named Roy Goodman. I don't know if he's an Assemblyman or a Senator of the State. But anyway, he's picked up on this problem. Now, he is saying that we do have a trouble in the Hauppauge Court and he wants to divorce it from the DVMB which has been imposing a little of Adolph's attacks. Thank you very much."

Supervisor Janoski, "Thank you Steve. Let the record show that the hour of 7:47 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, June 6, 1989 at 7:45 p.m. to hear all interested persons wishing to be heard regarding: Amendment to Section 108-67.1 of the Town Code, "Merger of Lots"

Patricia Moore, Town Attorney, "A merger of lots is in the code of the Town of Riverhead right now. And the merger provision is a zoning ordinance that says if you own a property one next to the other, then the property merges and becomes on larger lot. The intention of the code I believe, was to make non-conforming, lots that are less than what is required under the current zoning. If you have two non-conforming lots, then they

become one larger lot. However, if you have a large enough lot, then the merger provision would not apply. That is what this code revision would entail."

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

7:45 PUBLIC HEARING CLOSED AT 7:48

Supervisor Janoski, "I will reopen the meeting. Joe, you had your hand up."

Joseph Sykora, Riverhead, "Before I start, I have something here I would like to hand to the Town Council."

(Mr. Sykora distributed a copy of newspaper photo depicting a government official covering her ears at a hearing on noise pollution).

Joseph Sykora, Riverhead, "Mr. Janoski, you promised that the Raceway regulations would be enforced at the start of the racing season and nothing has been done. Mrs. Moore said that we have hired people to take readings. At a work session she said; can she come to my property with them people and take readings. Nothing has been done. The noise level, the Saturday before last, was 84 decibels. This Saturday it was 74. And the one Sunday they raced, you couldn't even hear them. But when it comes to the thunderbusters and the modifieds, those are the cars that cause the problem. And we would like to know when you are going to start to enforce the rules and regulations? Can I have an answer?"

Supervisor Janoski, "Well, I can tell you that the Town Board did engage a consulting firm to write an enforceable section of the Raceway ordinance concerning noise. He is scheduled to arrive here in Riverhead, Friday at about 11 o'clock. And his job will be to write that ordinance which will have to be enacted by the Town Board. It was my hope to have it in place prior to the beginning of this racing season. Obviously you are correct because it is not in place. Is there anyone else who wishes to address the Town Board? This is open session. Mrs. Hefter."

Marcia Hefter, Riverhead, "I'd like to address the Board concerning the petition of the Riverhead Elks Club for a Carnival Permit. Is this the appropriate time to do so? I live on Daly Court which is a residential neighborhood which backs up to the Elks Club property. As a matter of fact, a very small corner of our property touches on the Elks Club property but many of our neighbors have more of their property line which is shared with the Elks Club. And we experienced quite a bit of noise and traffic and inconvenience last year when the Elks Club conducted its carnival. The carnival lasted quite late into the night. There was very excessive noise. So much noise that it did keep

our family up and it kept other families in the area up also. There was a lot of traffic that was parked on the residential streets in the neighborhood. And as a matter of fact, one night of the carnival we found strangers on our back lawn who had wandered over. And last year there was a natural barrier which divided the residential area from the Elks Club property which I realize fronts, of course, the commercial street, that being Route 25/Main Street. Last year there was a natural barrier of trees which separated the residential area from the Elks Club property on which the fair was located. And still even with this natural barrier, the noise permeated through, the traffic came through onto the residential streets and people also strayed into our backyards. This year, unfortunately, the natural barrier is gone. One day the trees disappeared and the Elks Club field is opened up to the residential neighborhood in the back. And so we fear there is going to be even more noise and more disruption of our lives as a result of it. And I felt it was important to let the Board know my feelings and many of my neighbors feelings also."

Supervisor Janoski, "Marcia, could you.... You described the tree removal. Could you tell me how many trees (in your estimation) were taken down?"

Marcia Hefter, "I don't know the number. I know that there are some members of the community in the audience. But I will tell you it was a natural barrier that you couldn't see through the trees. When we stood on Daly Court when the trees were there, we could not see through to Main Street. Now, when you stand on Daly Court, you see right through. There was a total natural barrier."

Supervisor Janoski, "Thank you Marcia. It's time for me to now open up the next public hearing. I will reopen to comment on any subject as soon as we're finished with that. 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, June 6, 1989 at 7:55 p.m. to hear all interested persons who wish to be heard regarding: Expansion of a nonconforming preexisting use at Little Flower Children's Services.

Supervisor Janoski, "Thank you. Is there anyone present representing Little Flower Children's Services? Ok. Mrs. Town Attorney can you tell us what the application is?"

Patricia Moore, "Little Flower Children's Services has a building right now and they wish to construct a one-story detached masonry residence building. It's an expansion of a preexisting. There isn't very much here. I have a plan if anyone would like to see the plan."

Supervisor Janoski, "Is there anyone present wishing to address this application. Alice."

Alice Graff, Riverhead, "I would hope that the supervision of this additional situations would be better than some of the situations that have prevailed in the house."

Supervisor Janoski, "Would anybody like to view the map associated with this application? Is there anyone else present wishing to address the Town Board on the matter of the application? That being the case and without objection, I declare the hearing to be closed."

7:55 PUBLIC HEARING CLOSED AT 7:58

Supervisor Janoski, "There is about a minute and a half, two minutes before the next scheduled public hearing. Is there anyone who would like to address the Board? You can certainly take more than a minute and a half to two minutes. Yes."

Mitchell Skrzypecki, Riverhead, "I also live on Daly Court. Is this the appropriate time to follow Marcia's comments? I also am opposed to the granting of this application. That particular area of East Main Street has been a source of extreme loitering especially in the last two months, to the point that on the weekends, of causing almost around the clock police protection, occupation by a police officer within those grounds directly across the street from the Elks Lodge. I feel that granting of such a permit would do nothing more than sustain such activity and encourage it for a longer period of time. I'm also aware of a grass roots movement within the community known as the "Greens" where civically minded people are interested in cleaning up their own neighborhood. I feel this would be a detrimental effect in their efforts in trying to clean up some of the drug traffic that is known to exist in the area as well as other ongoing things that are objective."

Supervisor Janoski, "Thank you Mitchell. 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, June 6, 1989 at 8:00 p.m. to hear all interested persons who wish to be heard regarding: Change of Zone Application of Richard Visone from Ind. "A" to Res. "A" on property located at Route 25, Calverton.

Supervisor Janoski, "Is there anyone representing the applicant? Mr. Cuddy."

Charles Cuddy, Attorney, "I represent the applicant for this change of zone. The property is a 40-acre parcel. It's located on the north side of Route 25. I'll start over. This is a parcel that is 40 acres in size. It's on the north side of Route 25 in Calverton. It's about 300 feet east of the Delicatessen and the Post Office in that vicinity. It's basically an interior parcel. It has 300 feet on the road. It goes back to the LIILCO easement area which area is Agricultural/Residential at this point. In fact, the parcels to the north of this parcel are presently being developed as residential parcels. The applicants here seek to have Residential "A" in place of Industrial "A". This was something that was recommended basically by the Master Plan Study. The Planning Department had suggested to them that this would be a more appropriate use of the land than Industrial "A". They would hope that eventually they would have a subdivision of perhaps 34 or 35 homes I guess would be the maximum. They seek to have 40,000 square foot lots. This Board granted a negative declaration under the SEQRA Review Process. The Planning Board, and I don't know if you have their letter of recommendation, has recommended 40,000 square foot lots but in a round about way. They suggested that you have the Farm Village zone in that place. Unfortunately, as I read the ordinance, I don't think the Farm Village zone is in place yet. I would hope that the Board would therefore, allow these applicants to have Residential "A" at this time and later on change it. I acknowledge that that may happen but we would prefer Residential "A". Certainly unless you're going to change the ordinance, as I said, in two places, I would think it would be more appropriate as Residential "A". If there are any questions, I'd be happy to answer them. But I think the application has been before the Board for a while. It basically has Planning Board endorsement in somewhat of a different form. I don't think there are any objections that I've heard to the application. I believe it's in accordance with the town's plans for that area."

Supervisor Janoski, "Thank you Charles. Is there anyone present wishing to address the Board on the matter of this application for a change of zone? Steve."

Steve Haizlip, Calverton, "I'd just like to get Mr. Cuddy to give the dimensions of 40,000 feet. I'm sitting here and I don't....."

Supervisor Janoski, "It's an acre."

Steve Haizlip, "It's an acre. That's satisfactory."

Bob Pekar, Calverton, "I ask you elected officials to turn down this proposal for a number of reasons. It has been stated that the impact to the town from an environmental standpoint would not be significant. I fail to see how the effects of thirty some odd homes can not be anything but significant in a total negative manner. There has to be more than minor environmental impacts. If the elected officials cast a favorable vote

on this application, they will be signalling that uncontrollable residential growth in this town as the acceptable way of doing business. It is mandatory that you are, our elected officials, remember that industrial zoned land that is now available is the equity of all the citizens in Riverhead to protect our tax base in the future. Furthermore, please remember that the corridor in Calverton itself, the power lines, is one of the few logical areas left for planned industrial development. Dividing and stripping this area will make sensible planning in the future difficult to say the least. Now is the time for you to give a signal to the developers that rezoning for the purpose of profit alone, will not be looked on kindly. Planned development that benefits our future, is the least that we the people, are willing to accept. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present wishing to address the Board on the matter of this application? George, have you made up your mind that you would like to speak. Are you going to speak on this application George?"

George Schmelzer, Calverton, "I don't know. It seems to be that humanity is being against itself. Some humanity is against everything when it comes to people. Most of it are the ones that moved in here that are against everybody else. I wonder what would happen throughout the country if they didn't want any people moving in. Where would the people go? Right here. Right up there is one of you there that didn't move in. The only one that grew up here was Bob. So if the opinion is throughout the country like it is here, we've got too many people. I say close the immigration but nobody says that. Instead of having this country being the human garbage dump for the world, maybe if the city is cleaned up, you wouldn't have these people coming out here. It would be like it was before. Besides, the Health Department says 40,000 square feet is good enough. So I say give it to him. It's the guy's land. This is supposed to be a free country. Not like the Soviet or China. I don't know if the Chinese cities are getting like the American cities or American cities are getting like Chinese cities. I don't know which one is this but I believe that people are people throughout the world with land rights. If you don't want let the guy use it, don't charge him any taxes. It's as simple as that. If we had all this nonsense 200 years ago and nobody wanted anything, nobody had to get a permit even to scratch your foot. I said foot but I was thinking of something else. We wouldn't have never had any country today. It would have died just when it started. So think about that and get rid of the illegal aliens and you wouldn't have any housing demand. That's about it. Thank you."

Supervisor Janoski, "Thank you George."

George Schmelzer, "You've got to fill in the time somehow."

Supervisor Janoski, "You do it very interestingly. Is there anyone else wishing to address the Town Board on the matter of this change of zone application? Mr. Cuddy."

Charles Cuddy, "I don't really know the gentleman that spoke in opposition but I would take exception to one point that he made. This is not a developer who is plundering the town. These are people who bought the property and who came to the town and said to the Planning people, tell us what you would prefer that we do with this property. It could have been developed industrially. The town suggested and I think the Master Plan suggested that it be developed on a residential basis and that's why we came here and that's why the application is before you."

Councilman Pike, "Charlie, quick question. How far away from the school house is it?"

Charles Cuddy, "I would think that it's probably three quarters of a mile."

Councilman Pike, "Within walking distance."

Charles Cuddy, "Yes, thank you."

Supervisor Janoski, "Thank you. Is there anyone else wishing to address the Board? Joe."

Joseph Sykora, Riverhead, "If we keep changing the zoning to residential, we'll never have any zoning for industry and we need industry in this town. More young people are moving out of this town because they can not find jobs that pay enough. How are they going to even buy the houses that are \$150,000 if they can't get jobs to pay for them? Thank you."

Supervisor Janoski, "Thank you Joe."

Noreen Hager, "I'm one of the partners of Six Realty which owns the property next to Mr. Cuddy's person that he's representing. I just want to repeat also, we just spent six thousand dollars for plans to be drawn for an industrial layout of twelve buildings. And in presenting it to the town, we were told they were not conducive to industrial. Go back to the engineer and just spend another almost six thousand for a preliminary sketch for a residential subdivision. We have twenty acres. That winds up to be seventeen one acre parcels."

Supervisor Janoski, "When you say the town, who do you mean?"

Noreen Hager, "The Planning Board, Rick Hanley."

Supervisor Janoski, "But you appeared before the Planning Board?"

Noreen Hager, "No. We haven't done anything formally. Mr. Gordon Ahlers Office brought in the preliminary sketch. First we brought the industrial sketch and they said no. We're not conducive to industrial at this point. It's a water shed area

and we're looking for residential. So therefore, they went back, the engineers, and redrew a residential subdivision which he showed Rick Hanley again and he said it looks good. We want that area to be residential. So I'm just repeating again, what Mr. Cuddy said. It is not us. We bought this property as industrial. We were anxious to develop it industrial. And we're the ones that were told; you know, we, the Town of Riverhead, is looking for residential."

Supervisor Janoski, "Well, I know the answers to the questions that I'm asking you. I have figured it out by myself but I want you to place on the record what transpired. This Town Board set zoning, the five of us. We make those determinations which is why this application is before us. And quite frankly, speaking for myself, I wasn't aware of any position on the part of the town that we had any ideas concerning that area other than the existing zoning. Now, there is a problem in that Suffolk County does regulate land use to the extent that they enact articles of the Health Department. Article VII being the one that effects you most in this case. And it may be the view of those people in the Planning Department and the Planning Board that industrial use would not be possible on that property because of the imposition of Article VII, Article XII and a number of other areas that the Health Department of Suffolk County gets into. I will, as part of this application, make sure that we find out and have information on the Town Board as to what's going on there. But I thank you for informing us of that. Is there anyone else present wishing to address the Board. Yes, Steve."

Steve Haizlip, Calverton, "Joe, thanks for clearing up that situation because that is what is going on. We've got too many agencies, too many people deciding what to do and where to do it and who to do it. So thanks for clearing that up. One agency does the planning and issuance of permits and what have you and looks into it. It's getting too widespread."

Supervisor Janoski, "Thank you Steve. Is there anyone else present wishing to address the Board on the matter of this change of zone application?"

Robert Pekar, Calverton, "First of all, I want to reiterate my objection. I've lived in that section of Calverton for over 26 years. I live in an industrial zone. It has been accepted that the land north of the power lines was industrial land. Excuse me. South of the power lines is industrial lands. North is agricultural and what not. The land has been that way for years. The town, under the Master Plan, as far as I know, was planning around that. Now all of sudden it sounds like we don't know who's running this town and it's a little bit upsetting. I know it's kind of glossing over what's happening. But it seems time after time when these applications for changes of zoning, especially from industrial to residential, come forward, the Planning Board is making recommendations and basically telling this Town Board what they think should be done. Now if we have a

problem with the Suffolk County, let's solve our problems with Suffolk County. Look around Riverhead now. Look in Calverton now. Look at their residential growth in that area. I reiterate. We can't afford to keep this type of growth going without balancing it. You, the people on this Board, are responsible for the total town, the total tax base. And so far all you are doing is raising our tax bills without providing any type of relief. Residential increases that are happening in this town are getting out of control. Now to rezone industrial land for more residential is ludicrous."

Supervisor Janoski, "I would like to reply to some extent Mr. Pekar. There was a time when the County of Suffolk was enacting Article VII, that the town government of the Town of Riverhead, opposed the action. I, myself took part in a number of meetings with the Board of Health of Suffolk County opposing the imposition of the action because it dramatically effected the industrially zoned lands in the Town of Riverhead. I don't have time to go into all the provisions of Article VII but I could have used some help at that time in opposing what I felt to be the assumption or usurpation of land use management by the County of Suffolk and not the elected legislature, the Board of Health of Suffolk County promulgated the rule and regulation. You're absolutely right that the County does get into land use management and they have been doing so for years. The action, Article VII, in many cases makes useless certain industrially zoned lands in the Town of Riverhead for that purpose, that business purpose and it is the rule and regulation of Suffolk County. So that's what I think is behind what the Planning Department is doing. I don't think they're acting on their own. I think that they see a particular problem there with the use of the land for industry. I certainly can appreciate your concern about residential use because it is a tax drain and business uses are revenue producers. What we have to solve, I think, is that we may have a situation where you have to provide some use for the property because of the County interference in land use management with not only our town but every town. I would urge you to get a copy of Article VII and Article XII."

Councilwoman Civiletti, "I just would like to add that as I understand it, where the Planning Department is coming from when it suggested to Richard Visone and to Six Realty, what the Planning Board would like to see in that particular area is residential development rather than industrial development is coming from the result of a two year or so planning process that resulted in a Master Plan document and a generic environmental impact statement which is why this particular application was negative dec. Because the environmental impact statement as a residential use with the recommended zone placed on it, the zone that was recommended by the Planning Board, that was developed. That SEQRA was done on that. And it's not something that Rick Hanley or anybody in the Planning Department (as far as I know) is pulling out of the air. It's part of the Master Planning process. We've had a Planning Board that did complete what part of

their duty is and that is to plan. And we are the zoning authority and it's our place now to zone. But we haven't really been implementing too much in planning. So you guys are left sort of up in the air."

Councilman Pike, "The other thing that I think you've got to look out in comprehensive planning is that it sometimes takes time to implement. But over the last three years, we have substantially cut the amount of residential development possible. Because when most of these people bought industrial land, it was fully possible to develop it as residential property. And in the intervening years, in the last three years, we got rid of the residential development potential over ten thousand acres in the town."

Supervisor Janoski, "Ten thousand housing units. It was 13,000 acres or something like that. It's a lot."

Councilman Pike, "It's at least ten thousand units. That's an enormous number of people. The fact is that, forget the County for a second. Where do you put residential housing? You put it around the core of services required by residence. The core of services required are, for example, the post office, a general store, a delicatessen, a school house. And just basic good planning principles, if that's where we're going to have communities, Calverton is to be one with the school house and some residences, you should build it out from that core. But the fact is that if you add it all up and the net sum of that comprehensive work has been a drastic reduction in that area, the amount of residential housing potential available and the taxes associated with it."

Supervisor Janoski, "Dick Benedict."

Dick Benedict, Riverhead, "The only thing I would have to say about it is; no matter who is running it; the County with Article VII or the Town with their industrial development but the domino effect. Once you put houses or residential people in that area, where does it stop? Where do you get back to industrial? Because once they get their foot hooked as you can see with West Lane in Aquebogue. Every time they want to expand, they've got residences around them who say no you can't do that. You make noise, you do this, you cause air pollution, you cause that. So if we put residential in Calverton, where does the industrial start? Those people are going to complain as soon as the houses are finished and they get their lawns in and somebody wants to put even light industry, they don't want to hear industry once they get their house built. So where does the domino effect stop?"

Supervisor Janoski, "I think you're right Dick. That was one of the reasons why we removed from the industrial zoning, residential development. Because we didn't want developing side by side, those two uses which are contradictory to one another."

But let me tell you a scenario regarding the Health Department. The Town of Riverhead can not issue a building permit until the County of Suffolk and Health Department and other agencies act first and issue their permits. Right now, we have going up in the Town of Riverhead, an auto sales showroom up on Route 58. That is within the Article VII region. They want to put a floor drain in their building so they can wash cars. The County of Suffolk has said no. And it's not that they control land use management but they do to the extent that they give you a permit. They find out what it is that you're going to do, how you're going to do it and then refuse to give you a permit. Therefore, you are prohibited from using property for that purpose because we can not then issue a building permit. But it is this Article VII and it's been a while since we've really gotten into that Article but we should all get a copy of it and find out just what it does to industrial land. I would say all of the industrial land in the Town of Riverhead. That is why, with regard to the Wild, Scenic and Recreational Rivers Act that we are so concerned about that industrial land on the western part of Route 58 because that at least, is reachable in the foreseeable future by sewer service. Because Article VII says that for these uses you must have sewage treatment with marine outfall but I understand that they're going to change that last part. I heard that anyway."

Dick Benedict, "I don't think it takes a land management genius to see that Calverton is one of the next areas to build up one way or another. Riley Avenue is already going residential and we're just talking about a thousand yards away from Riley Avenue to put more residences. But the Master Plan has to be finished up some day and there has to be a distinct dividing line even though Article VII may enter into it."

Councilman Pike, "Just as a specific answer Dick, the last map that I seen basically indicates that the southwest corner of the intersection of 25 and Edwards, I mean that whole southeast, every thing south of 25 and east of Edwards, with the exception of a tiny little piece of "CR" at the intersection, will remain industrial zoned. It is difficult, as Joe said, to find an area where, because of multi-jurisdictional problems, a lot of different agencies telling us what to do, you're going to find an area. But that one is cut off from the Wild, Scenic and Recreational Rivers Act by the Expressway. And it is as far away from the water divide as you can get to make a case that you won't effect the water supply in the area. So there is over 3,000 total acres in the Master Plan map, even after you do everything else, for industrial development in the town. Three thousand acres of industrial development is a heck of a lot of industrial development."

Dick Benedict, "What you're saying is that they're going to make so expensive that there won't be any industrial development in that area."

Councilman Pike, "They're making it difficult."

Dick Benedict, "And there is going to put a domino effect if you put residences in there. There won't be industry in that area. It will have to be somewhere in the town. Thank you."

Supervisor Janoski, "Quite clearly, there are forces at work in the various levels of governments that do not want to see, and I will say business development, here in the Town of Riverhead."

Dick Benedict, "We can't exist without business development of some sort."

Supervisor Janoski, "I'm just telling you that there are forces that work with that end. Yes Joe."

Joseph Sykora, "You just made a statement that Suffolk County says if you put an industry, you've got to have a sewer system."

Supervisor Janoski, "For certain uses, yes."

Joseph Sykora, "Is that right?"

Supervisor Janoski, "Yes. For what they call wet uses and most industry...."

Joseph Sykora, "What about houses with cesspools?"

Supervisor Janoski, "That's not an industry."

Joseph Sykora, "But still in all, you have cesspools and that's going into the...."

Supervisor Janoski, "Are you arguing with me Joe?"

Joseph Sykora, "No. I'm just trying to explain."

Supervisor Janoski, "You don't have to explain it to me. Explain it to the County."

Joseph Sykora, "This is wrong and we're letting the County run us. We're not telling the County."

Supervisor Janoski, "Joe, we are not allowing the County, we are not letting the County. We have fought with the County and those actions are taken over our objection."

Bill Nohejl, Aqueboque, "I feel as though, like John said a while back, a sewage system should be put down in that area and I think it should be followed very closely to see if it can be done. Because I'm against residential in that area. We need the industry and we must have it. And I'm quite sure that if I own

property which I don't in that area, I would be willing to put money into it per lot, per acre like you're doing to the Recreation Department every time you build a house. And I think you'll see some growth go down there. I think it's high time that someone got on the ball and did some work on it. I hate to see it go into residential down there because it's ideal for industrial. Let's not break it up. It's close to Grumman. It's on the southside there. And as far as making the present sewer system work, that's too far. You've got to have a new one. It's too far to put it all the way up to Riverside Drive. You're at capacity there already. Let's see if we can formulate a sewer system right there for the industrial development. Thank you."

Supervisor Janoski, "Well, we're having a hearing on a change of zone application. Is there anyone else wishing to address that issue? Ok. Yes, Mr. Pekar."

Robert Pekar, "I believe it's important that we recognize that that corridor of Riverhead, that portion of Calverton has the only real accessible link to the Long Island Expressway before we start getting into congestion problems and everything else. Now, there was an industry not that long ago, turned down by this Board. And one of the reasons cited was heavy trucks coming in and out of there. It was a concern about the truck traffic on the roads. It was a recycling by the dump area. The Route 25 Corridor is a state road. Heavy traffic on that becomes a state responsibility as far as the maintenance of that road. Accessibility with the terminus of the Expressway and Edwards. If we allow residential zoning in the area that is being petitioned now, the next thing that we will hear is that we can't do anything on the other side of Edwards Avenue because it's going to be a nuisance. Besides this, there are other problems on that land. Floods continuously. The town is constantly fighting trying to keep Manor Road open anytime there is a flood or there is snow. And what they're going to do with the residential type development is they're going to change the lay of the land and we're going to create more problems. But the most important thing here is whether or not it requires more work on the Town Board, whether it requires looking into the details more, whether it requires a sewage system or whatever. At this point, I do not believe it would be prudent nor do I believe that we should grant changes of zoning at this point. Thank you."

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

8:00 PUBLIC HEARING CLOSED AT 8:31

Supervisor Janoski, "Let the record show that the hour of 8:31 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, June 8, 1989 at 8:05 p.m. to hear all interested persons wishing to be heard regarding: **Amendment to Section 103-13.1 of the Town Code re: "Recyclables & Household Hazardous Wastes"**.

Patricia Moore, "The Town Board, after consideration of the fact that within the hamlet area of the Town of Riverhead, the Highway Department has picked up leaves and other yard wastes. We are trying to make it fair for everyone and opening up the landfill in the months of April, May and October for residents to come in and deposit their leaves and yard wastes at no cost."

Supervisor Janoski, "Ok. Is there anyone present. Did you mention the time period on that? Is there anyone present wishing to address the Town Board on this matter? Alice."

Alice Graff, Riverhead, "Since the leaves don't all come down, couldn't we extend that into November also for the leaves?"

Supervisor Janoski, "Alice, the purpose of this hearing is for you to stand up to that microphone and say; in my opinion, the period should be extended until November. Is that what you're trying to say?"

Alice Graff, "Yes I am."

Supervisor Janoski, "Thank you very much Alice. Anyone else wish to address the Town Board on the matter of Recyclables and Hazardous Wastes? That being the case and without objection, I declare the hearing to be closed."

8:05 PUBLIC HEARING CLOSED AT 8:34

Supervisor Janoski, "Before we take a break, is there anyone who wishes to address the Town Board on any matter? It seems to me that we're in a discussion about a couple of things. Steve. Steve, there was something that I wanted to tell you."

Steve Haizlip, "I'll be rather quick on these. You know, I've been having this on my check for a while and I just never seem to get the opportunity with the hearings so long and business going on and there wasn't time. So I postponed it. Now, in this survival game ruling, this here attorney, Mr. Bruen comes across and says that public sentiment or the public's feelings or whatever you want to call it, don't count. Well, I don't agree with him. Because let's go back and look at these Congressmen that wanted to go 50% more in raises. And let's go back to the same thing that we're talking about the employment of school officials being so high. It's public sentiment. They're expressing their wishes, their feelings. So I think it does bear. Now if this was the case, then Congress never would have backed

down and just said we don't care what the people's feelings are but they do because they're going to have to get reelected. Now maybe with the school officials, I know I keep coming back. I'm using them as a base. They're going to have to get budgets approved and they're going to have to start working with the people. Now, Mr. Jermusyk who lives below me, has asked me to deliver a message. Now I would be derelict in my duty if I didn't do it for him. Now he's getting all excited and tight about the double line on the curve by his house. Now, he's running out there in the road and screaming at people and pointing the finger at him and the double line and so forth. And he's hollering for some police patrol to look there and to look in on it and help to subside it a little bit. Whether you can or not, I don't believe you can. This is my opinion because I just told you what happened when I'm leaving the light and giving people a little leadway to turn and go down Peconic and I've got them in the back blowing at me and calling me names. They don't care. They've just got their foot on the gas and they want to go. So I'd say let them go and if they wreck themselves, I turn the other way and I don't even see them. But Joe, he's 71 years old and he's a little bit concerned about safety and so whatever you could do you could do it."

Supervisor Janoski, "I don't understand what the problem is Steve."

Steve Haizlip, "They're passing on a double line on the curve and they're really going h--- bent for an election. Now, one final thing. Has this engineer ever got here yet? Are we getting warm."

Supervisor Janoski, "We're getting warm."

Steve Haizlip, "Ok. Mr. Pekar mentioned about highway flooding. I would say that the top priority of this guy if he's any good and he can use a transit, is get on some of these roads and try to work these drainage sumps so they can get some of this water to flow and that is the number one priority of our engineer in this town. One final item, right quick. Mr. Pendzick stated here once that he wanted everybody to conserve water by using gadgets and putting them into the faucets and so forth. Very good idea. I like it. Now, if I remember, which I know I'm remembering right, we're selling a lot of water to that golf course over here. Right? Indian Island. Ok. Are there going to be any mechanisms to put into these sprinklers to try to control water or are we just going to let it go out there by the millions of gallons. Now, we're asking the people. We've got to take in some measures for those people too. Alright."

Supervisor Janoski, "Steve, I just remembered what I wanted to tell you. Before I came to the meeting, I was advised that Felix Mackie had been invited to tonight's school board meeting for his very first meeting. I don't think he's a member of the board yet but he had been invited to be there and you had men-

tioned Mr. Mackie earlier on. And I would give anything to have a listening device up there. That meeting may become more popular than this meeting. George."

George Schmelzer, Calverton, "I was just going to follow up on Steve. He mentioned floods on highways. Throughout the country especially in the Northwest or Canada, Sasquachuan, the roads in a level country are raised above that level of the road. There is no snow and no water. I remember when Babe Young was Highway Superintendent starting about 40 years or more back but not close to 50, he filled in the roads many places a foot or two. So the water stayed on the fields and when the Spring came it dried up and that was it. That could be done here in many places. It could be done on the dips on Route 25 in Calverton. There's a dip there that's been there with water for years. Instead of making a big sump and making it so complicated. And you say there's too much water wasted on the... Was it inference that water was wasted on the Indian Island Golf Course? If so, pump the sewer water down there and let them water it with that. That water wouldn't be wasted and the grass would grow better."

Supervisor Janoski, "You're absolutely right George. It would make the grass green too. Alice."

Alice Graff, "I don't know if this is such a major thing. But the signs, our street signs. We always had such lovely street signs. And little by little, whoever is in charge, they tell me all kinds of excuses for them not be repainted but I don't believe it. Because all throughout the town, now you find this sign that color, this one has a border, that one doesn't and they're such chincy materials that they're just banged into and they're turned and twisted and all that stuff. Why can't we go back to our beautiful little signs that we had before? Please."

Supervisor Janoski, "Thank you Alice. Is there anyone else wishing to address the Town Board? Well, I think we're going to take a break. Let's schedule our return for five minutes of nine."

Alice Graff, "Excuse me. I just want to say. It's not the Polish Town signs. Down there is strictly a blue one with white lettering. Polish Town should be the way it is. Thank you."

TOWN BOARD MEETING RECESSED AT 8:42

TOWN BOARD MEETING RECONVENED AT 9:02

Supervisor Janoski, "The meeting will return to order. Unless there is some question about a resolution or any question about something on the agenda, we are going to take up the resolutions."

Alice Graff, "Someone brought something to my attention. The development on Edwards and Riley, what use to be the Karlin

property, there's a load of houses, not a load but numerous houses there that have gone bankrupt and some of the houses do not have roofs, windows. So the interiors are being destroyed by the weather. So that's something to be considered in terms of future development."

Supervisor Janoski, "Ok. Resolutions."

Resolutions #393-#422 found on 637-690 pages of the
1989 Resolution Book.

#417 APPROVES APPLICATION OF RIVERHEAD ELKS LODGE #2044 TO HOLD CARNIVAL AND BAZAAR.

Councilwoman Civiletti, "417 would approve the application of the Elks Lodge to hold a carnival and bazaar. I think it would be appropriate to table this resolution and I move to table this resolution so that between now and the proposed time of the bazaar, we might be able to work out some conditions of granting this application which may address some of the concerns of nearby residents. Especially in the light of the removal of the trees."

Councilwoman Civiletti offered resolution #417 to be tabled which was seconded by Councilman Pike.

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

The resolution was thereupon duly declared TABLED.

#420 APPROVES APPLICATION OF P.C. RICHARD & SON TO CONDUCT A TENT SALE.

Councilman Pike, "What we're doing is repeating a special permission to have a tent sale at the P.C. Richard's site for three weeks only. We're getting a bond that forces the removal of the tent which we stick in our pockets if they don't. We stick in the town's pockets. The town's poor pockets if they don't. Do we have this straight yet?"

Councilwoman Civiletti, "There's another one which probably is going to warrant some discussion. It pertains to the computer graphics mapping person. I believe that the reason that it's not on the agenda is the Supervisor's Office had to confirm with the individual being appointed regarding the acceptance of it. I have a resolution here appointing a gentleman by the name of Mark Heppner to the position of Computer Graphics Mapping Specialist. And I would move this as resolution 421."

Councilman Pike, "Seconded."

Councilman Boschetti, "Move to amend. Could we break this up into two resolutions? One creating the position, the other one appointing the person to the position. The purpose is that I'm probably going to vote against the creation of the position."

Supervisor Janoski, "I have no objection to it. We advertised for it. I have no objection to the Councilman's request. Does anybody else? So we will consider 421 to be the creation of the position and 422 to be the appointment of the individual. That's what you're after right?"

Councilman Boschetti, "Yes. Making it into two resolutions John. One that would create the position and another one that would name a person to the position."

Supervisor Janoski, "I have no problem. We have before us, (let's start over and forget about amending it.) 421 is a motion creating the position of Computer Mapping Specialist. Is there a motion on that?"

Councilman Pike, "So moved."

Supervisor Janoski, "Second?"

Councilwoman Civiletti, "Second."

Supervisor Janoski, "Moved and second creating the position."

The vote, Boschetti, no, Pike, yes, Civiletti, yes, Lombardi, no, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Now we have resolution 422. This resolution would be a resolution appointing Mr. Mark Heppner at whatever that says, Group 6, Step P."

Councilwoman Civiletti, "So moved."

Councilman Pike, "Second."

Supervisor Janoski, "Moved and second."

Councilman Boschetti, "Now that the position is created, yes."

Councilman Lombardi, "Before I vote, I would just like to say that the I think the man that we're hiring is very capable. The only thing that I want to get on record is that I don't want to see this salary, in the next six months or next year, go up to thirty thousand dollars. Right now it's twenty-one thousand something and I don't want to see it jumping up that fast. I feel that it is going to go up and it should go up with the salaries of each employee. I'll vote yes."

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, Without objection, this meeting is adjourned."

There being no further business on motion or vote, the meeting adjourned at 9:18 p.m.

IJP:nm



Irene J. Pendzick
Town Clerk