

Minutes of the Town Board Meeting of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, February 15, 1977 at 7:30 P.M.

Present:

Allen M. Smith, Supervisor
George G. Young, Councilman
Francis E. Menendez, Councilman
John Lombardi, Councilman
Jessie Tomlinson, Councilwoman

Also present: Peter S. Danowski, Jr., Town Attorney
Absent: Alex E. Horton, Supt. of Highways

Supervisor Smith called the Meeting to order at 7:30 P.M. and the Pledge of Allegiance was recited.

Supervisor Smith: "I thank you all for coming out this evening. We have a couple of preliminary matters that Doctor Menendez and I would like to bring up."

"I call your attention that a Public Notice has been posted by the Department of the Army, Corps of Engineers relative to the proposals of the Long Island Lighting Company as it affects the jetties that Long Island Lighting Company proposes at Jamesport. Should anyone be interested in the description of the work as is outlined in the notice, Miss Block, I believe has a copy of this notice posted on her bulletin board, you can examine it there. I call this to your attention because it is something that will and has in the past affected this community and we invite your comment on that particular proposal."

Councilman Menendez: "I have this statement I'd like to read. This is a statement put out by the Town Board and signed by the three Councilmen and Councilwoman addressed to the concerned citizens of the Town of Riverhead."

"The Town Board makes this statement to reaffirm in writing its commitment to the solution to certain housing and housing-related problems that the members see in the Town of Riverhead.

When considering such problems, we have special concern about the housing conditions that exist at 821 East Main Street. We recognize that housing problems exist at other locations within the Town. We find by examination of police and fire reports that 821 is a high-priority area. The problems there, may have been caused by reasons of over-crowding, poor management in the past, etc. We do not blame anyone for the conditions as they exist. We simply believe that the over-all solution to the housing problem must begin with a solution to the problems posed by 821 East Main Street. We further believe that these problems cannot be solved by any one segment of this community, or by any one level of government.

We have, and continue to support Supervisor Smith's efforts to find a solution to this problem. We believe, as he has stated,

that the best solution to the problem by the housing conditions at 821 would be the organization of a local non-profit group to begin the rehabilitation. We acknowledge and thank the John Hancock Insurance Company and the European-American Bank for the cooperation that they have shown to date. We also wish to acknowledge the efforts being made by Mr. Ralph Quinton and the Tenants' Association to improve conditions at 821 during this period of transition. We find it encouraging that both the County of Suffolk and the United States Department of Housing and Urban Development will support an application by the Town, or some other entity for the rehabilitation or renovation of the 821 complex. We want the renovation and improvement of this complex to occur without the disruption of families who currently live there and are in need of housing. We recognize our responsibility to protect the legitimate interest of persons now living at 821 who need and will need in the future adequate housing. We look to the other elected officials at the County, State and Federal level to give us some assurance that our efforts will not be construed by them as a license to use Riverhead as a dumping ground for persons in need of assistance.

We again restate that housing and housing-related problems are not problems of the White community or the Black community. They are problems of the Riverhead community. If housing problems breed crime, we must all recognize that crime will reach out beyond the physical location of dilapidated housing and reach into every one of our lives. We must each recognize that dilapidated housing will eventually detract from the value of each of our homes. We must each recognize that as a citizen of Riverhead, we have an obligation to use our best efforts to see that all other Riverhead people have an opportunity to live in the best housing that they can afford under our laws."

Supervisor Smith:"The statement will appear generally in the "News Review" in the issue to come out on Thursday."

Councilman Young: "This is a letter that the Supervisor has written to the President of the United States and I'm sure he'll answer it."

"On behalf of the Town Board of the Town of Riverhead, Long Island, New York, I wish to convey our congratulations on your election to the Presidency, and to put forward this urgent request for a conference with you about a dilemma facing this Board concerning the proposed construction of two nuclear power plants in our Town.

The Town Board is presently trapped amid a bitter, divisive battle between the environmental opponents and pro-nuclear supporters. In our judgment, most of these issues will be decided at the national level. People are desperate for the jobs that may be created, as well as the tax relief to be gained by the proposed construction. The present tax base in Riverhead, due to the Town's non-industrial rural character, is in peril of being overwhelmed by the rising cost of providing everything the Town needs. The future quality of life for our residents is at stake in the outcome of these issues.

We realize that the request for this meeting with you at this time may possibly be suspect as a political move by those inclined, in that this all-Democratic board would wait till now to seek the advice of the President. We earnestly stress that the sole motivation for this action is your conviction to be accessible to all citizens in need of your service. We recognize your efforts to provide solutions to these problems on the national level. We hope you will be able to help us work out solutions on the local level where your policies and ours touch peoples' lives most deeply. At this level, the confrontation has degenerated to the point where nuclear power opponents have initiated a smear campaign designed to discredit the elected officials of this Town which certainly will serve no useful purpose.

We sincerely hope that you will promptly consider this plea for your time with the knowledge that Riverhead is a small town, with correspondingly small resources, and that your help may provide a stimulus for reconciliation of our citizens.

Very respectfully yours,

Allen M. Smith "

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the Minutes of the Meeting of the Town Board of the Town of Riverhead, held on February 1, 1977, be approved as submitted.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the following bills submitted on Abstracts dated February 15, 1977:

General Town Account	\$19,646.56
Highway Item #1	\$ 2,497.25
Highway Item #3	\$ 8,058.93
Highway Item #4	\$ 4,819.51
Community Development Fund	\$ 91.95
Special Districts	\$13,818.94
Capital Projects	\$ 2,349.05

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

BE IT RESOLVED, That the following bills submitted on Abstracts dated February 15, 1977, be approved for payment:

General Town Account	\$19,646.56
Highway Item #1	\$ 2,497.25
Highway Item #3	\$ 8,058.93
Highway Item #4	\$ 4,819.51
Community Development Fund	\$ 91.95
Special Districts	\$13,818.94
Capital Projects	\$ 2,349.05

RESOLUTION - continued

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted

REPORTS

Tax Receiver's dated: February 14, 1977

Recreation Department, month of January, 1977

Jamesport Fire District - Annual Treasurer's Report for 1976

Manorville Fire District - Annual Treasurer's Report for 1976

Filed.

OPEN BID REPORT - ONE NEW 1977, 12 to 15 PASSENGER, SIDE-LOADING MINI-BUS FOR USE OF THE SENIOR NUTRITION PROGRAM

After being duly advertised the following bids for One New 1977, 12 to 15 Passenger, side-loading Mini-Bus for use of the Senior Nutrition Program were opened by the Town Clerk on Monday, February 14, 1977 at 11:00 A.M:

Kinney Chevrolet - Olds., Inc.
East Main Street on Route 25
Riverhead, New York 11901

ONE 1977 12-Passenger Vehicle: Make: Chevrolet Model: CG31306 \$5,518.00
Filed.

J. J. Hart Inc.
Route 58
Riverhead, New York 11901

ONE 1977 12-Passenger Vehicle: Make: Ford Model: E250 Club Wagon \$5,861.00
Filed.

Wayne Bus & Truck Equipment Inc.
109 Central Avenue
Tarrytown, New York 10591

DISCLOSURE STATEMENT NOT NOTARIZED

ONE 1977 12-Passenger Vehicle: Make: GMC Model: 31303 \$10,575.00
Filed.

OPEN BID REPORT - CONSTRUCTION OF SIGN - FOR TOWN HALL

After being duly advertised the following bids for Construction of Sign for Town Hall were opened by the Town Clerk on Monday, February 14, 1977 at 11:00 AM.:

C. Kander Inc.
1431 Roanoke Avenue
Riverhead, New York 11901

BID PRICE FOR CONSTRUCTION OF SIGN FOR TOWN HALL \$676.00 Filed.

OPEN BID REPORTS - continuedOPEN BID REPORT - CONSTRUCTION OF SIGN - FOR TOWN HALL

Signs by Barry C. Wedel
705 West Main Street
Riverhead, New York 11901

BID PRICE FOR CONSTRUCTION OF SIGN FOR TOWN HALL \$760.00 Filed.

OPEN BID REPORT - COUNTERS - JUSTICE, BUILDING/ZONING
TOWN CLERK'S AND TAX ASSESSORS' OFFICE

After being duly advertised the following bid for Counters in the Justice, Building/Zoning, Town Clerk's and Tax Assessors' Office was opened by the Town Clerk on Monday, February 14, 1977 at 11:00 A.M:

C. Kander
1431 Roanoke Avenue
Riverhead, New York 11901

BID PRICE FOR CONSTRUCTION OF COUNTERS - JUSTICE, BUILDING/ZONING
TOWN CLERK's and TAX ASSESSORS' OFFICE: \$10,661.00 Filed.

OPEN BID REPORT - CONSTRUCTION OF AREAWAY COVERS AND DOOR DRIPS

After being duly advertised the following bid for construction of Areaway Covers and Door Drips was opened by the Town Clerk on Monday, February 14, 1977 at 11:00 A.M:

C. Kander
1431 Roanoke Avenue
Riverhead, New York 11901

BID PRICE FOR CONSTRUCTION OF AREAWAY COVERS AND DOOR DRIPS \$386.00 Filed.

OPEN BID REPORT - BID ON DE-ICING SALT

After being duly advertised the following bid for De-Icing Salt was opened by the Town Clerk on Monday, February 14, 1977 at 11:00 A.M:

Cargill Salt
191 Portland Point Road
Lansing, New York 14882

PRICE PER TON FOR NO. 1 EXTRA COARSE DE-ICING SALT: \$33.80 DELIVERED
PRICE PER TON FOR C. C. DE-ICING SALT: \$32.80 DELIVERED Filed.

OPEN BID REPORTS - continuedOPEN BID REPORT - DETENTION CELL

C. Kander Inc.
1431 Roanoke Avenue
Riverhead, New York 11901

BID PRICE FOR CONSTRUCTION OF DETENTION CELL: \$9,961.00

No Action Taken On this Bid.

Filed

OPEN BID REPORT - POLICE DEPARTMENT - SEAT CONSOLES, ETC.

NO BIDS RECEIVED

Filed

OPEN BID REPORT - FIVE SURPLUS POLICE VEHICLES

NO BIDS RECEIVED

Filed

CLAIMS

Cedar Brook Construction Co. vs. Town of Riverhead
Edith Guy and Robert Guy vs. Town of Riverhead - \$85,000
William Nash vs. Town of Riverhead - Summons for false arrest
Filed

PETITION - NORTHVILLE INDUSTRIES CORP.

For a Special Permit to Construct Petroleum Storage Facilities
at its Terminal Northville. Filed.
Referred to Planning Board.

APPLICATION - NORTHVILLE INDUSTRIES COPR.

For a Variance of the Maximum Height Authorized for Petroleum
Storage Tanks at its Terminal in Northville. Filed.

Supervisor Smith then stated as follows: " The petition part
for a Special Permit gets referred to the Planning Board for the
recommendation of the Town Board . Mrs. Tormey should have the
application part and we shall discuss it on Thursday night whether
that will and in fact be a joint hearing with the Town Board."

PETITION

Mortimer Barr, Burrill W. Heller and James P. Levin to obtain
an extension of the Special Use Permit granted for erection of con-
dominium dwellings on the north side of Middle Road, approximately
175 feet east of Nadel Drive in the Town of Riverhead. Filed.

COMMUNICATIONS

Dept. of the Army, N.Y. District Corps of Engineers, dated February 1, 1977. Relating to Public Notice No. 8816, Application No. 76-378 of the Long Island Lighting Company:

WORK: Associated structures, dredging, gill and open water disposal in Western Long Island Sound for the Jamesport Nuclear Power Station

WATERWAY: Long Island Sound

LOCATION: Jamesport, Town of Riverhead, Suffolk County, N.Y.

Any criticisms or protests regarding the proposed work should be prepared in writing and mailed to reach the Corps of Engineers Office at 26 Federal Plaza, New York, N.Y. 10007 prior to March 3, 1977, otherwise it will be presumed that there are no objections.

Any person who has interest which may be adversely affected by the issuance of this permit for the proposed work other than the disposal of dredged material aspect of this application, may request a public hearing. The request may be submitted in writing to the District Engineer within thirty days of the date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity. Filed.

Town of Riverhead Planning Board - copy of letter to Raymond Wiwczar, Building Inspector, dated February 8, 1977 relating to Realty Subdivision - Barnes Woods. Filed.

Town of Riverhead Planning Board, dated February 4, 1977, relating to Special Permit Application of Minerva Kahn. Stating that the requested additional use is not compatible with the permitted uses or uses permitted by special permit in a Business District and recommending to the Town Board that the petition of Minerva Kahn be denied. Filed.

Supervisor Smith stated: "On the last communication I think it's a fair statement to say that the Town Board is not prepared at this time to hold a hearing to amend the ordinance at the request of Kahn, as is now phrased. We will take this matter up at our meeting Thursday evening of the Joint Boards to see whether we go any further with that particular one."

UNFINISHED BUSINESS

Decision on Amending Zoning Ordinance # 26 - Signs

Supervisor Smith: "We have for almost a year now debated the issue of an amendment to this sign ordinance in the Town of Riverhead. We have thrown open our doors waiting for someone

UNIFINISHED BUSINESS

from the major outdoor advertising interests that appeared a year ago to tell us exactly what they want and what they can live with. We have circulated amendments that were suggested by some of the smaller advertisers to the members of the Planning and Zoning Boards, the Conservation Advisory Council, and they have been written up at this point in one further and last hearing which we will authorize tonight for publication. We will again discuss these amendments at the Joint Board Meeting to be held Thursday evening of the Planning, Zoning Town Boards, Conservation Advisory Council and we will have the last hearing and I think we have given ample opportunity to the vested sign interest to come forward and tell us exactly what they see is acceptable for their industry and for the Town of Riverhead. And we have a resolution later on authorizing the publication and posting of that last amendment."

PERSONAL APPEARANCES

Supervisor Smith asked if anyone wished to be heard and the following responded:

Mr. Paul Meyer: "Can we be told on item six what those claims against the Town are for?"

Supervisor Smith: "I'll deal with the two that I've seen. Cedar Brook Construction Co. is asking for the return of the bond which they previously posted to the removal of 100,000 cubic yards of bank run sand from the Town Dump.

Mrs. Guy a second claim fell on an areaway in the parking lot and she is making a claim for I believe a broken arm.

And my note says that William Nash is making a claim against the Town of Riverhead relative to a false arrest. That one was the subject of a Notice previously. Chief Palmer is that what that one is about?"

Chief Palmer: "Yes."

Mr. Robert Pekar: Calverton, "In relation to the A & P Shopping Center - the fire zone - is there a fire zone per se there now?"

Supervisor Smith: "We have done the necessary steps Sir, to make it legal. We at long last, last week got the signs in. We have called the Attorney for the owner, and arrangements are being made between the Highway Department and the owner where to put the signs."

Mr. Robert Pekar: "There is no ordinance on the books as such?"

Supervisor Smith: "There is an ordinance on the books. It has not yet been posted Sir."

PERSONAL APPEARANCES - continued

Robert Pekar: "Then is that the reason the Police aren't doing anything about the cars that are parked there now?"

Supervisor Smith: "Yes, Sir."

Robert Pekar: "Then I assume what you've said this is going to be taken care of in the future."

Supervisor Smith: "Yes, Sir. It would have been taken care of earlier if we could have gotten the signs quicker than the way we got them."

Robert Pekar: "The other thing is kind of a personal feeling in relation to what happened here last week. The Town Board usually holds a public hearing in reference to any proposed changes in laws or rulings or whatever. And then last week out of the clear blue a motion was made and an existing Town ordinance, rule, whatever it is was, changed with no notice to the public and I personally think that this is the wrong way to address the subject."

Supervisor Smith: "I assume Mr. Pekar you are referring to the residency requirement."

Robert Pekar: "Yes, Sir."

Supervisor Smith: "Anyone else choosing to address the Town Board on miscellaneous topics before we get to the public hearing?"

Supervisor Smith then recessed the Meeting to hold a Public Hearing.

PUBLIC HEARING - 8:00 P.M.

Town Clerk submitted affidavits of Publishing and Posting Public Notice calling PUBLIC HEARING relative to the Consortium Agreement between the Town of Riverhead and other Municipal Bodies within the County of Suffolk, to be held on February 15, 1977 at 8:00 P.M.

The affidavits were ordered to be placed on file.

Supervisor Smith: "There exists an act which is known as the Community Development Act and it provides for certain activities which can be done by a Town or County depending upon which State you happen to be in. In the County of Suffolk we do not as the Town of Riverhead have sufficient population to partake in this particular Federal program.

We have joined together as one Town among several in what is known as the Suffolk County Consortium Agreement, whereby the various Towns and Villages although they be too small to obtain money on their own behalf, participate with all others in community

PUBLIC HEARING - continued

development activities. We have completed year one and we are in the process of completing year two of the Consortium Agreement which will begin in August of 1977.

It is recommended although not required and I don't know if any of the other Towns are doing what we are doing tonight. Recommended that we throw open to the population of the Town of Riverhead, a public session such as this for you to address the Town Board and identify in your judgment what programs problem projects you foresee in the year three of the Consortium Agreement should be addressed by the Town Board.

Now as you may notice from the public notice that we have given, there will be a special meeting during next month where we will take what you say this evening and whatever else we might think of or work-up and prepare a proposal for year three of the Consortium Agreement. At that time we will tell you in our judgment what should be the focus of the year three of the agreement in the Town of Riverhead and permit you at that time in the special meeting in March to comment upon what we have proposed.

It is difficult for me to say at this time exactly how much money may or may not be available or allocable to the Town of Riverhead in the third year. The problem is occasioned by the fact that the Town of Brookhaven who was a member of the Consortium Agreement may not be a member of the Consortium Agreement in the year three. If that occurs potentially the Town of Riverhead will lose about sixty to seventy thousand dollars of their participation in the Consortium Agreement.

So I would say that it is probably a fair figure to say that we are talking about the expenditure of in excess of \$100,000 probably not to exceed, however, if Brookhaven does not stay in the agreement in excess of \$150,000 of community development funds (at this point Councilman Young added a remark which was inaudible)."

Supervisor Smith continued saying: "The first year our entitlement was \$46,200. We used it for part improvement in the acquisition of the Morell property on Peconic Avenue. In year two there is a breakdown of work on the Morell property, work on the part improvement along the Peconic River and the imbalance of the monies allocable to what we call code enforcement in the hiring of an additional person in the building department which hopefully will aid us and the community generally in the processing of applications for funding, for housing and things of that nature.

There is also a fund for litigation in the balance of those figures. The total amount there in round figures was \$100,000. That pretty much brings to date. If you would please observe the rules, step forward to the microphone, give your name to Miss Block and address the Town Board. Who would like to begin?"

Mr. Robert Tooker: "I brought my daughter with me who's in the other room sharing the hospitality of Mr. Young.

First of all I would like to thank the Town Board for giving the citizens an opportunity to give them some input as to what should be done with such funds as the Hud Funds you're discussing at the Public Hearing tonight. I understand that the money that

PUBLIC HEARING - continued

was used for the demolition of the Morell building is going to show some real promise tomorrow. I rode by and I see that the building is about ready to fall to the level of the street which will open up that beautiful park for people coming into Town to see.

I think that this Hud money can be utilized in a way perhaps where it would have a long-term affect beyond that of the three years originally sought. One way in which that could be done would be to create a fund which was utilized and re-circulated or recycled over a period of many years. If the Town Board in deciding what to do with the funds that are available to them in the third year were to take that money and to utilize it to either eliminate an eyesore or to upgrade an eyesore and then to take that property and put it back into the private sector again and to receive the money from a transfer back into the private sector to then go to a new project, a new eyesore and tend to that and once it's tended to, then return that property to the tax rolls.

I think we could get many, many years of use out of the same dollars from Hud. There are a few places in Town where such a procedure could be utilized today and the one that comes immediately to mind is the horrible eyesore as you come into Riverhead from the east which we for many years called the Raspberry Hilton.

The Raspberry Hilton, I believe cannot be rejuvenated or renovated to any practical purpose. I have been through the building, I have been with an architect and I have been with a contractor with an effort to think of some way that building might be rehabilitated. Not one of the three of us can see any way to do that. I suggest to you that if you set aside some of the funds that are made available under the Hud Consortium Grant you could acquire that property either through purchase or condemnation.

Demolish the building, perhaps also acquire the piece of property on the other side of the street and then you would have a new attractive entrance to Riverside Drive. Demolish that building and then find in the private sector somebody who could put that property to a use. This would make an attractive entrance into our community, into Riverside Drive, which was once a lovely residential street and is as soon as you move past the Raspberry Hilton.

And the entrance to the Indian Island Golf Course, I think that a similar procedure has been utilized that more successfully there. I think it would be a good way to use the funds that are available and I suggest to you that the Raspberry Hilton is an appropriate place to start for such a project."

Mr. Paul Meyer: "I fully agree with Mr. Tooker about beautifying the Town starting with the Raspberry Hilton. As he suggests there are two ways of doing it, one by purchase through the owner and the other by condemnation. I lived in the building

PUBLIC HEARING - continued

when it was sold to the present owner. I know what he paid for it - \$24,500. I believe that it should be condemned, not purchased because that owner of that building is a pretty smart operator and that's about all I have to say."

Mr. James Roth: Riverhead, "About two and a half years ago, I presented the Town Board of Riverhead with a petition which my wife and I walked through the Town. I think we had 300 and some names requesting something be done to the Raspberry Hilton. It was suggested that I look for a match and I declined that. I have not used a match on it nor has anyone else lately. But I think Mr. Tooker has brought up a very fruitful suggestion and I do live on Riverside Drive and I pass it everyday frequently and I think that it's a major project we ought to work on in the manner prescribed."

Mr. William Esseks: "The problem as I see it is that whatever can be done, that can be done relatively inexpensively that will help the entire downtown is to the advantage of all the residents, especially to the people that work downtown and own property in the downtown area. There are four ways to get into Town and coming in the east is probably the most distressing and that's the way I come in everyday. And the principal objection visually is that same building everyone's been talking about. I've only lived here 17 or 18 years, but it's been in terrible condition for 18 years, and it's getting worse rapidly. I was asked to be a Special Town Attorney several years ago for the purpose of trying to acquire that building through a nuisance statute and we weren't able to do it. I've come before this Town Board before you came into this august chambers and tried to work with the Town to find ways to acquire under Federal Funds several years ago. I brought bankers out here to try to come up with a way to use urban monies to acquire it. And there wasn't ever any money but the Town Board always told me if, as, and when monies were available that would be one of the very first targets. It's not this Town Board, only George Young was on the Town Board that I used to aggravate on that subject. And if there is any continuity and if the new Town Board has the same sentiments as the former ones I would certainly hope that you would find a way and employ whatever funds are available to make a step towards removing what I think is probably the most unfortunate eyesore on the east side of Town. So that when people come into Town and are trying to decide and buy here or invest here or to rent some of the empty stores on East Main Street they might be more inclined to do so then when they have to go by that building coming in and going out of Town."

Mr. Fred Eimers: Wading River, "Directly or indirectly many people benefit from housing and community development. The Town as a whole also will benefit from the many programs available. I urge the Town Board to continue the program of those that were successful and to search for others which can be helpful in other ways throughout the Town."

PUBLIC HEARING - continued

Supervisor Smith: "Mr. Eimers; if I can amplify his statements with his permission as an appraiser employed by the County of Suffolk. We do have some County owned buildings in the Township of Riverhead which could stand rehabilitation as one-family residents. These are buildings he has examined. There exists a program in part occasion by the Consortium Agreement that funds through the Suffolk County Development Corporation, the rehabilitation of such housing. At a meeting some days ago we asked Mrs. Burland if we could obtain her support for that kind of thing in the Town of Riverhead where there are county buildings that are in poor shape and we were encouraged that support would be forth coming."

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the Hearing closed at 8:10 P.M. and re-opened the Meeting.

PERSONAL APPEARANCES

Supervisor Smith asked if anyone wished to be heard and the following responded:

Mr. Robert Tooker: "I understand that the Town Board is considering some substantial renovations to Police Headquarters and I understand that through the help of Mr. DeLuca that included within the proposed renovations is some work to the exterior of that building to make it more attractive and perhaps more consistent with the recommendations of Visions and Townscapes. I hope that when the Board considers expending money for those renovations that they will consider the external appearance of Police Headquarters as well as the internal changes necessary for the Police Department."

Supervisor Smith: "I think it's fair to say, Mr. Tooker, that we are considering Mr. DeLuca's recommendations. We do recognize, however, that there are substantial things to be done within the building and with the economy and the money available. We'll consider what you say."

Marie Hoff: Wading River, Appeared before the Town Board and read the following statement:

"First, on behalf of our Wildwood Committee, I want to thank the Landmarks Commission for their determination with respect to the Wading River Community Center. Our request for its designation as a landmark had been on the basis of its historic value alone; we realized that its remodelings had deprived it of the architectural authenticity reflective of a particular period or style, so we never requested designation on this basis. Last month I contracted Chairman Shirley Smith and asked her to have the Commission render its decision on our application, because I believed that with the Town's expression of interest in acquiring the center the emotional climate

PERSONAL APPEARANCES - continued

surrounding the matter had dissipated. I sincerely apologize to the Commission, for this proved not to be the case. A new round of emotional attack erupted from an unexpected quarter two weeks ago - right after I had made my request to Mrs. Smith. The Commission's task was therefore made more difficult, but nevertheless, they have made their decision and we thank them. The decision is that the Center does not qualify historically for Landmark designation at this time. I point out to those who have urged us to submit this application that this does not mean our Center has no historic value; it is historically meaningful and relevant to us and it can continue to be so, even though at this time there is insufficient proof to designate it a Landmark. We can continue to appreciate it and help it to grow historically. Again, thank you to the Commission.

I learned last week that after the Wading River Senior Citizens President had said it would be "foolish" for the Town to purchase the Fire District owned community center, Mrs. Tomlinson had been put to the task of defending the Town's interest in the center, saying it would be better to have a place than no place. Mrs. Tomlinson, I urge you, do not feel obliged to apologize! There are many of us who are willing to tell you that we prefer the community center to any other location. Though I do not wish to be put to the task, without approaching a single member of the Senior Citizens Club I could find in Wading River 400 people who would go on record as agreeing with me on this. Many of them are seniors who are not officially members of the Senior Citizens Club. Incidentally, I believe the Senior Citizens Organization numbers about 80 members, and I have some difficulty in believing that all of them would agree to the designation "foolish" as applied to the idea of community center acquisition.

In the deliberations of the many groups which were involved with the substation-community center matter, all were keenly aware of the meeting place needs of the Senior Citizens. We kept this in the forefront of our thinking, and put our own meeting place needs in the background. Organizations even volunteered use of their facilities. We encouraged the Town and Recreation Department to find a location for them.

In January, 1977 when the Town Board unanimously passed a resolution to sign a lease with Camp deWolfe I checked with Town Attorney Danowski and was informed that the facilities would be for Senior Citizens use only and the lease would probably be for three years. With people from other concerned groups we considered the potential impact. Even though a three-year lease would probably further remove pressure from the Fire District for return of the community center, it would relieve our concern for the senior citizens needs while we proceeded to resolve the other substation problems. We decided to offer no objection to a lease of this kind.

At a Fire District Board Meeting on February 1st, it was, therefore, quite a surprise to find that the Senior Citizens President had come to "thank" the Fire Commissioners for putting

PERSONAL APPEARANCES - continued

the group out of the center and to say that the building was inadequate and in need of repair, and the Town would be foolish to be interested in it. This is a lack of consistency which must be attributed either to insufficient understanding of the complexities of this matter, or to a very casual judgment concerning the long-range needs of the senior group, or the inability to identify the aesthetic values which the community in general prizes. It is easier to speak from the vantage point of safety when one's needs have been met. The big question is why?

This was the wrong forum. Accidentally, they must have gone west instead of east. Thanks should have come to each and every member of this Town Board who voted to provide facilities. On behalf of some of the seniors I know I can offer thanks to you now.

No, it is not foolish of this Board to consider acquiring the community center; even if this center needs a little repair do not conclude it is expendible. Older buildings in Town in need of repair have been repaired and become landmarks. Some, even though they are not designated landmarks are being face-lifted through Townscape and Visions. These programs are not foolish endeavors; nor is your interest in the community center foolish. Forget the word foolish! Acquisition of this community center is wise, discerning and prudent; the people want it." (End)

Emma Karch: Riverhead, "I'd like to ask one question. What will you be using that mini-bus for that you intend to pass later?"

Supervisor Smith: "It is for the Nutrition Program. We hope at least on an experimental basis quite possibly to attempt some further service with the bus."

Emma Karch: "Well that money comes from the County, doesn't it? It's in their budget."

Supervisor Smith: "Yes. It's a Federally funded program that comes down for senior citizen type uses."

Emma Karch: "Will that be funded by the Nutrition Program, the monies you receive for that?"

Supervisor Smith: "Well, the Nutrition program to a certain degree is misnamed here. It is a program for the aging."

Emma Karch: "Well I just want to tell you since the time you had the public hearing on the budget I've been studying it and I've learned a bit more and I've begun to find out what code numbers mean. And from that budget I see that the Nutrition program on the budget (here the tape recorder fouled up)." (Supervisor Smith very gallantly offered to adjust the tape recorder)

A brief recess was called after which the Meeting resumed.

RESOLUTIONS

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid recall or court pay from January 1, 1977 to and including January 31, 1977, as per P.B.A. Contract.

1.	H. Boden	1-22-77	6 hrs.		\$ 74.16
2.	F. Foote	1-10-77	4 hrs.		44.46
3.	D. Green	1-24-77	4 hrs.		42.18
4.	W. Palmer	1-02-77	4 hrs.	\$50.10	
		1-26-77	4 hrs.	50.10	
		1-22-77	6 hrs.	<u>75.15</u>	175.35
5.	J. Pleickhardt	1-04-77	4 hrs.		42.18
6.	J. Psaltis	1-03-77	4 hrs.		42.18
7.	A. Summerville	1-10-77	4 hrs.	\$50.10	
		1-22-77	6 hrs.	<u>75.15</u>	125.25
8.	R. Underwood	1-26-77	5½hrs.		76.14
9.	W. Witt	1-04-77	4 hrs.		44.46
10.	K. Woods	1-27-77	4 hrs.		42.18
				TOTAL	<u>\$708.54</u>

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, Bids for One New 1977, 12 to 15 Passenger, side-loading Mini-Bus were duly received by the Town Clerk on Monday, February 14, 1977 at 11:00 A.M. as follows:

KINNEY CHEVROLET-OLDS., INC., EAST MAIN STREET ON ROUTE 25, RIVERHEAD, NEW YORK 11901

One 1977 12-Passenger Vehicle: Make: Chevrolet Model: CG31303 \$5,418.00

J. J. HART, INC., ROUTE 58, RIVERHEAD, NEW YORK 11901

One 1977 12-Passenger Vehicle: Make: Ford Model: E250 Club Wagon \$5,861.00

WAYNE BUS & TRUCK EQUIPMENT, INC., 109 CENTRAL AVENUE, TARRYTOWN, NEW YORK 11901

Disclosure Statement not Notarized

=====

One 1977 12-Passenger Vehicle: Make: GMC Model: 31303 \$10,575.00

RESOLUTIONS - continued

NOW, THEREFORE, BE IT RESOLVED, That this Town Board awards the Bid for One new 1977, Mini-Bus for use of the Senior Nutrition Program to KINNEY CHEVROLET-OLDS., INC., Route 58, Riverhead, New York, 11901, at a cost of \$5,418.00, and

FURTHER RESOLVED, That the acceptance of said bid is subject to the bid and specification form submitted by KINNEY CHEVROLET-OLDS., INC., and filed in the Office of the Town Clerk.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, Bids for Construction of Sign for the Town Hall were duly requested pursuant to advertisement for bids dated February 3, 1977, and

WHEREAS, In response to such advertisement, bids for Construction of Sign for the Town Hall were received by the Town Clerk on Monday, February 14, 1977 at 11:00 A.M. as follows:

C. KANDER INC., 1431 Roanoke Avenue, Riverhead, N.Y. 11901
Bid Price for Construction of Sign for Town Hall: \$676.00

SIGNS BY BARRY C. WEDEL, 705 West Main Street, Riverhead, N.Y. 11901
Bid Price for Construction of Sign for Town Hall: \$760.00

NOW, THEREFORE, BE IT RESOLVED, That this Town Board awards the Bid for Construction of Sign for the Town Hall to C. KANDER, INC., 1431 Roanoke Avenue, Riverhead, N.Y. 11901, at the bid price of \$676.00, and

FURTHER RESOLVED, That the acceptance of said bid is subject to the bid and specification form submitted by C. KANDER, INC., and filed in the Office of the Town Clerk.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, Bids for Construction of Counters in the Justice, Building/Zoning, Town Clerk's and Tax Assessors' Offices were duly requested pursuant to advertisement for bids dated February 3, 1977, and

WHEREAS, In response to such advertisement, a bid for Construction of Counters in the Justice, Building/Zoning, Town Clerk's and Tax Assessors' Offices was duly received by the Town Clerk on Monday, February 14, 1977 at 11:00 A.M. as follows:

C. KANDER INC., 1431 Roanoke Avenue, Riverhead, N.Y. 11901
Bid Price for Construction of Counters - Justice, Building/Zoning
Town Clerk's and Tax Assessors' Offices: \$10,661.00

NOW, THEREFORE, BE IT RESOLVED, That this Board awards this Bid for Construction of Counters in the Justice, Building/Zoning,

RESOLUTIONS - continued

Town Clerk's and Tax Assessors' Office to C. KANDER, INC., 1431 Roanoke Avenue, Riverhead, New York, 11901, at the cost of \$10,661.00, and

FURTHER RESOLVED, That the acceptance of said bid is subject to the bid and specification form submitted by C. KANDER, INC., and filed in the Office of the Town Clerk.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, Bids for Construction of Areaway Covers and Door Drips at the Town Hall were duly requested pursuant to advertisement for bids dated February 3, 1977, and

WHEREAS, In response to such advertisement, a bid for Construction of Areaway Covers and Door Drips at the Town Hall were received by the Town Clerk on Monday, February 14, 1977 at 11:00 A.M. as follows:

C. KANDER, INC., 1431 Roanoke Avenue, Riverhead, N.Y. 11901

NOW, THEREFORE, BE IT RESOLVED, That this Town Board awards the Bid for Construction of Areaway Covers and Door Drips at the Town Hall, to C. KANDER, INC., 1431 Roanoke Avenue, Riverhead, New York, 11901, at the cost of \$386.00, and

FURTHER RESOLVED, That the acceptance of said bid is subject to the bid and specification form submitted by C. KANDER, INC., and filed in the Office of the Town Clerk.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolutuion was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, Bids for De-Icing Requirements for use of the Town of Riverhead Highway Department were duly requested pursuant to advertisement for bids dated February 3, 1977, and

WHEREAS, In response to such advertisement, a bid for De-Icing requirements in accordance with specifications therefor, were duly received by the Town Clerk on Monday, February 14, 1977 at 11:00 A.M. as follows:

CARGILL, INC., 191 Portland Point Rd., South Lansing, N.Y. 14882

Price Per Ton for No. 1 Extra Coarse De-Icing Salt: \$33.80

Price Per Ton for C. C. De-Icing Salt: \$32.80

NOW, THEREFORE, BE IT RESOLVED, That this Town Board awards the Bid for De-Icing Requirements for use of the Town of Riverhead Highway Department, to CARGILL, INC., 191 Portland Point Road, South Lansing, N.Y. 14882, at the cost of \$33.80 per ton for No. 1 Extra Coarse De-Icing Salt and \$32.80 per ton for C. C. De-Icing Salt, and

FURTHER RESOLVED, That the acceptance of said bid is subject to the bid and specification form submitted by CARGILL, INC., and filed in the Office of the Town Clerk.

RESOLUTIONS - continued

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Superintendent of Highways be and is hereby authorized to pay time and one half overtime compensation for snow removal operations for the period from January 20, 1977 to February 13, 1977 - a total of 1,150 hours in the amount of \$9,062.68 in accordance with personal services abstract submitted and filed in the Office of the Town Clerk.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid overtime from January 1, 1977 to and including January 31, 1977 and November 13, 1976 as per P.B.A. Contract at time and one-half their regular salary.

1.	D. Cheshire	1-10-77	1 hr.	\$ 8.94	
		1-22-77	1 hr.	8.94	
		1-26-77	4 hrs. 16 min.	<u>38.14</u>	\$56.02
2.	B. Keller	1-11-77	3 hrs.		31.64
3.	L. Mickoliger	1-26-77	1½ hrs.		16.67
4.	J. Psaltis	11-13-76	3 hrs. 40 min.		<u>38.67</u>
				TOTAL	\$143.00

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

BE IT RESOLVED, That the Town Clerk be and is hereby authorized to advertise for bids for Portable Resuscitator Assemblies as follows:
10-CPR Demand Valve/Manual Inflator Portable Resuscitator Assemblies, No. PEC 92175-05 (Robertshaw).

AND BE IT FURTHER RESOLVED, That the Town Clerk of the Town of Riverhead, New York, be and is hereby designated to open publicly and read aloud on Monday, February 28, 1977 at 11:00 A.M.

RESOLUTIONS - continued

at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation "BID FOR RESUSCITATOR ASSEMBLIES".

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

BE IT RESOLVED, That the Town Clerk be and is hereby authorized to re-advertise for bids for Seat Consoles, Accessories and Installation in Police Vehicles as follows:

NOTICE TO BIDDERS

SEALED BIDS for: Seat Consoles, Accessories and Installation in Police Vehicles

For the Police Department of the Town of Riverhead, will be received by the Town Clerk at 200 Howell Avenue, Riverhead, New York, until 11:00 A.M., on March 7, 1977, at which time and place they will be opened and read.

Instructions for bidders, specifications, and bid forms may be obtained at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York. Bids shall be on the form as prepared by the Town of Riverhead.

The Town Board of the Town of Riverhead reserves the right to reject any and all bids or to waive any informalities.

All bids must be in a sealed envelope marked: "BID ON SEAT CONSOLES, ETC."

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Town Clerk read resolution # 30 relating to Benjamin & Corwin Houses Lease.

Before the resolution was offered Councilman Young made the following statement:

Councilman Young: "For many years the Town Board has been urged by interested citizens to try to save both the Corwin and Benjamin House on East Main Street in Riverhead. They are two of the oldest houses in Town, two of the last remaining old houses in Town and we went along with up-grading the Town and trying to keep the Town from going downhill we wanted to preserve everything we could. We never had money enough to buy them or there was something else to buy that was more important. So we never were able to purchase these buildings. But as a public service at this time, Northville Dock has come up with the money and purchased these two buildings so that they can be preserved and put back in good shape. And the Town Board is leasing them for \$1.00 a year, I guess."

Supervisor Smith: "We are deferring the expenses of the operation of the two homes. We have an Advisory Board that will help us determine the tenant selection and things of that nature."

RESOLUTIONS - continued

And it's our hope that the community will support this effort and help defer the operating expenses of the houses over the years. It will cost money to fix them up in their current state but it is our hope that somewhere down the road that they can be self-sufficient."

The resolution was then offered by Councilman Young and seconded by Councilman Menendez.

WHEREAS, The Town Board of the Town of Riverhead passed a resolution, dated January 4, 1977, authorizing the Supervisor to execute a contract with Northville Industries Corp. for a lease of certain properties commonly known as the Corwin and Benjamin houses, and

WHEREAS, The Supervisor did execute a lease, dated February 1, 1977, and

WHEREAS, The Town Board does ratify his actions, and

WHEREAS, Said lease is subject to a permissive referendum, NOW, THEREFORE, be it

RESOLVED, That the Town Clerk is hereby authorized to publish a notice in accordance with the Town Law provisions indicating that the above-mentioned lease is subject to a permissive referendum.

PUBLIC NOTICE

PLEASE TAKE NOTICE that on the 4th day of January, 1977, the Town Board of the Town of Riverhead adopted a resolution authorizing the Supervisor to execute a lease in behalf of the Town of Riverhead, for the use of two parcels, located on East Main Street, commonly known as the Benjamin and Corwin Houses, for use by the Town for historic or preservation purposes. Said lease will be for a term of ten (10) years, and will be available for inspection at the office of the Town Clerk, and the Supervisor having executed a lease, dated February 1, 1977, and

PLEASE TAKE FURTHER NOTICE that said resolution is subject to a permissive referendum as provided by Town Law.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Town Clerk read resolution #32 Condemnation of Lands of Henry A. Pollack pursuant to Suffolk County Improvement Act.

Before the resolution was offered Councilman Young made the following statement:

Councilman Young: "This property is up on Sound Avenue where the flooding condition has existed for a long, long time and the Town Board ever since I've been on it has been trying to cure this problem and we haven't been able to, again because we didn't have the money and it is an expensive proposition. We designated \$120,000 of Federal Revenue Sharing for drainage to be spent in the year 1977 and part of this money is designated for this drainage problem."

The resolution was then offered by Councilman Young and seconded by Councilman Menendez.

RESOLUTIONS - continued

WHEREAS, A flooding condition exists on Sound Avenue, adjacent to land of Henry A. Pollack, easterly of Roanoke Avenue, and

WHEREAS, Previous Town Boards have unsuccessfully attempted to negotiate the purchase of sufficient lands for a recharge basin,

NOW, THEREFORE, BE IT RESOLVED, That the Town Attorney is hereby directed to initiate proceedings, pursuant to the Suffolk County Improvement Act, to condemn lands shown on the survey, prepared by Young and Young, and filed in the Office of the Town Clerk, and that the Town Clerk is hereby directed and authorized to publish the requisite notices pursuant to the aforesaid Act, and that Young and Young is hereby retained to prepare such additional maps, etc., as may be necessary to achieve the aforesaid condemnation, and be it

FURTHER RESOLVED, That Edwin Fishel Tuccio and James A. Kaelin be and they hereby are appointed pursuant to the provisions of the aforesaid Act to prepare appraisals for the aforesaid taking.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith: "We have several Civil Service matters that I will take care of. We have duty statements that remain unapproved - these are bookkeeping matters essentially and duty statements that have been classified as switchboard operator, clerk of the works and laborers. Switchboard operator duty statement has been pending for some period of time, the clerk of the works and laborers relate to the Morell property only."

Supervisor Smith offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That Lois Seay be and is hereby appointed to the position of Senior Citizen Center Manager, provisionally, until such time as an examination is given and to be compensated at an annual salary of \$7,500.00.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, This Town Board, prior to June 1, 1977, must determine whether or not to reduce, or allow in full, the currently permitted investment tax credit for new construction.

RESOLUTIONS - continued

NOW, THEREFORE, be it

RESOLVED, That on the 19th day of April, 1977, at 8:00 P.M. o'clock in the evening, at the Town Hall, this Board will hear all persons interested for and against such matter, and the Town Clerk is hereby authorized and directed to publish and post notices of such hearings.

PUBLIC NOTICE

PLEASE TAKE NOTICE THAT a Public Hearing will be held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at 8:00 P.M. o'clock, on the 19th day of April, 1977, to hear all interested persons to determine whether the Town of Riverhead should pass a Local Law pursuant to Section 4-85b, Subd. 7 of the Real Property Tax Law, reducing the per centum of exemption, other wise allowed to certain real property constructed, altered, installed or installed subsequent to July 1st, 1976 for the purpose of commercial, business or industry activity.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

After the vote Supervisor Smith made the following statement:

Supervisor Smith: "This resolution so that you understand the impact of it, there is currently state legislation that would automatically award two new constructions within the Town of Riverhead a tax break in a declining ratio over a period of ten (10) years for anybody that builds new construction in the Town of Riverhead. We feel that this issue is important and should be the subject of a public hearing and we hope that the pros and cons of such a tax abatement will be debated in April so that we could make a legitimate decision on that particular matter before June 1st."

The resolution was thereupon declared duly adopted.

Supervisor Smith offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That a Public Hearing be held before this Board on the 15th day of March, 1977 at 8:00 o'clock, P.M., and the Town Clerk, be, and she is, hereby authorized to publish and post the annexed Notice hereof:

PUBLIC NOTICE

PLEASE TAKE NOTICE that, on the 15th day of March, 1977, at 8:00 o'clock, P.M., a public hearing will be held before the Town Board of the Town of Riverhead, at the Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all those persons interested in the following proposed amendments to the Code of the Town of Riverhead:

With respect to Section 108-56. SIGNS.

1. By adding the following underscored wording, to read as follows:

"A. The following signs are permitted in any use district without a permit:

"(1) One (1) real estate sign not exceeding eight (8) square feet in area, advertising the sale or lease of the premises on which it is erected and set back not less than twenty-five (25) feet from any side line and fifteen (15) feet from the front and/or rear property line.

"(2) One (1) nameplate or professional sign not exceeding two (2) square feet in area, bearing only the name and profession and/or occupation of the resident and set back not less than twenty-five (25) feet from any side line and fifteen (15) feet from the front and/or rear property line.

"(3) Temporary signs not exceeding eight (8) square feet in area, bearing only the name and occupation of the contractor or architect and set back not less than twenty-five (25) feet from any side line and fifteen (15) feet from the front and/or rear property line. Such signs are permitted only during the period of construction of a building or structure."

2. By repealing and deleting Paragraph B in its entirety.
3. By repealing and deleting Paragraph C. (1) in its entirety, and adding new underscored subsections (1), (2) and (3), to read as follows:

"C. The following signs are permitted in any business or industrial use district without a permit:

"(1) Three (3) signs per building, displayed attached to, or incorporated in, a building wall. Said sign shall project not more than eight (8) inches beyond the face of the wall and shall not exceed the height of said building wall, that height being the vertical distance from the mean level of the ground surrounding the building to the lowest point of the roof. The aggregate area of said signs shall not exceed twenty-five percent (25%) of the total area of the building wall OR, three (3) signs per building, displayed attached to or incorporated in a window. The aggregate area of said sign, shall not exceed twenty-five percent (25%) of the total area of the window.

"(2) Specifically permitted, and exempt from (1) above, are all signs displayed attached to or incorporated in a window, which are of a temporary nature, not exceeding a time period of two (2) weeks.

"(3) The area of a sign shall be determined by the smallest rectangle that encompasses all of the letters or symbols that make up the sign, together with the area outside of the rectangle of a different color or material other than the general finish of the building or window, whether painted or applied." (Sign area defined for subsections (1) and (2) above, only.)

4. By deleting and repealing Subsections G and H in their entirety.

5. By repealing and deleting Subsection I in its entirety, and creating new underscored Subsection I to read as follows:

"I. The following signs are permitted in any non-resident use district (upon the issuance of a permit) thereof:

"(1) One (1) free standing non-flashing, non-moving on premise sign, not exceeding thirty-two (32) square feet in sign area; not exceeding fifteen (15) feet in vertical height from the mean land of the ground surrounding the sign. Said sign shall be twenty-five (25) feet from each side line, and fifteen (15) feet from the front and/or rear property line.

"(2) For the purposes of this section, double-sided signs shall be treated as one sign."

6. By adding additional underscored Subsections L., M., and N. to read as follows:

"L. Any sign, not included in J. above, but violative of any section of this ordinance, wherever located shall become an unlawful structure on 1977, and shall thereupon be removed.

"M. If any sign described in J. or L. above is not removed, in accordance with the above provisions, the Town of Riverhead is empowered to remove said sign, and bill and collect the expense of removal from the appropriate parties, including, but not limited to the owner of the sign, the owner of the real property upon which sign is located, the lessee of the real property upon which the sign is located, the lessee of the sign owner, or any other interest holder.

"N. Each 'shopping center' shall, as a whole, be allowed one (1) free standing 'directory sign' on premises, to be used for the exclusive purpose of notifying the public of the names of the various business establishments located within the shopping center. No advertising of any sort shall be allowed on such sign. Said sign shall not exceed thirty-five (35) feet in height, measured from the top of said sign to the ground surrounding the support of said sign. Said sign shall comply with all other applicable sections of this article as well as any other applicable sections of this Code.

A permit issued by the building inspector shall be required for each shopping center directory sign erected or maintained pursuant to this section. The application for said permit must contain an architect's drawing of said directory sign as well as a survey indicating the dimensions of said sign, its location, and setbacks. The building inspector shall refer said applications, drawing(s) and survey(s) and other supporting papers to the Town Board for its approval and recommendations. No such permit shall be issued until the Town Board has reviewed and approved said plans.

The term 'shopping center,' means premises having four (4) or more stores or business establishments in connection with which there is provided on privately-owned property near or contiguous thereto an area, or areas, of land totalling at least one (1) acre in area used by the public as the means of access to and egress from the stores and business

establishments on such premises and for the free parking of motor vehicles or customers and patrons of such stores and business establishments on such premises.

The term 'directory sign' shall mean any sign containing a list of names of business establishments located within a shopping center."

With respect to Section 108-3. DEFINITIONS

By repealing and deleting in its entirety the definition of "Sign", and creating new underscored definition, as follows:

"SIGN - A name identification, description, display, illustration or device which is affixed to or painted or represented directly or indirectly upon a building or piece of land and which directs attention to an object, product, place, activity, person, institution, organization or business. Any display of official court or public office notices, flag, emblem or insignia of a nation, political unit, school or religious group shall not be deemed to be a sign. A display which is located completely within a building, and not visible and/or viewable from any area outside the building shall not be deemed to be a sign."

With respect to Section 108-3. DEFINITIONS

By inserting the following new underscored words, to read as follows:

"UNOCCUPIED AREA - The area of a front yard, measured from a street line, open and unoccupied at all times by a building, structure or by the storage or display of anything, whether movable or immovable, except for hedges, shrubs or solid fencing which do not exceed two and one-half (2½) feet in height, or trees."

2/15/77

103.

With respect to Section 108-31. RESIDENTIAL USE

By inserting the following underscored new Section, to read as follows:

"§108-31. Residential Use

"Any residential use in the Business A Use District, shall conform to all requirements for a residential use in the Agricultural Use District."

With respect to Section 108-37.: ADDITIONAL REQUIREMENTS

Delete in its entirety, Subsections F. and G.

With respect to Section 108-60. OFF-STREET PARKING.

By amending Subsection E(1), as to aisle width, with the following new underscored figures:

<u>"Parking Angle (degrees)</u>	<u>Aisle Width (feet)</u>
90	<u>24</u>
60	<u>18</u>
45	<u>12"</u>

With respect to Section 108-60. OFF-STREET PARKING

Delete last sentence of Subdivision F, and insert following new underscored sentence to read as follows:

"Minimum acceptable surfacing shall be two (2) inches of bituminous plant mix (after compaction), with wearing course of two (2) inches (after compaction) of New York State Mix, Type 'A' or four (4) inches of reinforced concrete surface."

With respect to Section 108-73. PERMITS

Add the following underscored new Subsection J to read as follows:

"J. No building permit shall be issued for the construction or alteration of any structure located on a freshwater or tidal wetland as defined by the Wetlands Law of the Town of Riverhead, until the applicant has complied with all the provisions of said Wetlands Law and has obtained a permit pursuant to said Wetlands Law when necessary."

With respect to Section 108-73. PERMITS

Delete in its entirety, Subsection F.

With respect to Section 108-74. CERTIFICATE OF OCCUPANCY

Add the following underscored new Subsection D to read as follows:

"D. In case of undue hardship, the Building and Zon-

ing Department official may issue a temporary certificate of occupancy valid for a period of six (6) months for any building, structure or use, provided that he shall find that:

(a) Such building or structure is in itself in

conformance with the New York State Building Code and all other applicable ordinances or regulations.

(b) All site development requirements are essen-

tially completed, but that due to unavoidable delays they cannot be entirely completed as required in a reasonable time.

(c) On investigation, the Building and Zoning

Department official and the Riverhead Town Planning Board shall approve of such temporary certificate of occupancy.

(d) A cash deposit in escrow in an amount estab-

lished by the Building and Zoning Department official and the Riverhead Town Planning

Board shall be provided to ensure satisfactory completion of all required improvements within a period of six (6) months. Failure to comply with this time limitation shall render such escrow in default and the Town may utilize the deposited money in the Town of Riverhead trust account set up for this purpose. The actual work completing the improvements may be performed by one of the Town's departments or a private contractor selected by public bid.

"Fees

"Fees for building permit applications and for issuance of building permits and certificates of occupancy shall be determined by the Town's Building and Zoning Department. "

With respect to Section 108-76. BOARD OF APPEALS POWERS

Add the following underscored new Subsection E to read as follows:

"E. The applicant shall erect a sign giving notice that an application for an appeal or special exception is pending and giving the date, time and place where the public hearing will be held. The sign will be furnished by the Town of Riverhead. It shall be set back not more than ten (10) feet from the property line and shall be not less than two (2) or more than six (6) feet above the grade at the property line. It shall be displayed for a period of not less than seven (7) days immediately preceding the public hearing date or any adjourned date. The applicant shall file with the Board of Appeals an affidavit that he has complied with the provisions of this section. No public hearing shall be held unless such affidavit has been filed."

With respect to Section 108-76. BOARD OF APPEALS POWERS

Delete in its entirety Subsections 4. A and B.

With respect to Article XXX. SUBDIVISION REGULATIONS

By adding new Article XXX. SUBDIVISION REGULATIONS, to Chapter 108. ZONING, by incorporating in toto Chapter A-115. SUBDIVISION REGULATIONS, with the following underscored changes:

"ARTICLE XXX

SUBDIVISION REGULATIONS

"Section 108-95. General Provisions

Subsection 108-95.(a). Declaration of policy.

Subsection 108-95(b). Definitions.

"Section 108-96. Minor Subdivision

Subsection 108-96 (a). Procedure

Subsection 108-96 (b). Sketch plan

Subsection 108-96 (c). Minor subdivision plan

Subsection 108-96 (d). Application and fee

"Section 108-97. Major Subdivision

Subsection 108-97 (a). Procedure

Subsection 108-97 (b). General requirements

Subsection 108-97 (c). Sketch plan

Subsection 108-97 (d). Preliminary plat

Subsection 108-97 (e). Final plat

Subsection 108-97 (f). Application and fee

"Section 108-98. Variances and Waivers; Amendments

Subsection 108-97 (a). Variation in case of hardship

Subsection 108-97 (b). Waiver of required improvements

Subsection 108-97 (c). Board to impose conditions

Subsection 108-97 (d). Amendments and changes

ARTICLE XXX
SUBDIVISION REGULATIONS

Section 108-95. General Provisions

Subsection 108-95 (a) Declaration of policy

By the authority of the resolution of the Town Board of the Town of Riverhead adopted on January 28, 1948, pursuant to the provisions of Article 16 of the Town Law of the State of New York, the Planning Board of the Town of Riverhead is authorized and empowered to approve plats showing lots, blocks or sites, with or without streets or highways, within that part of the Town of Riverhead outside the limits of any incorporated city or village. It is declared to be the policy of the Planning Board to consider land subdivision plats as part of a plan for the orderly, efficient and economical development of the town. This means, among other things, that land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace; that proper provision shall be made for drainage, water supply, sewerage and other needed improvements; that all proposed lots shall be so laid out and of such size as to be in harmony with the development pattern of the neighboring properties; that the proposed streets shall compose a convenient system conforming to the Official Map, if such exists, and shall be properly related to the proposals shown on the Master Plan, if such exists, and shall be of such width, grade and location as to accommodate the prospective traffic, to facilitate fire protection and to provide access of fire fighting equipment to buildings; and that proper provision shall

be made for open spaces for parks and playgrounds. In order that land subdivisions may be made in accordance with this policy, these regulations, which shall be known as and which may be cited as the "Town of Riverhead Land Subdivision Regulations," have been adopted by the Planning Board and approved by the Town Board.

Subsection 108-95 (b). Definitions.

For the purpose of these regulations, certain words and terms used herein are defined as follows:

EASEMENT — Authorization by a property owner for the use by another, for a specified purpose, of any designated part of his property.

ENGINEER or LICENSED PROFESSIONAL ENGINEER — A person licensed as a professional engineer by the State of New York.

FINAL PLAT — A drawing as defined in Subdivision 2(b) of Section 276 of the Town Law.

LOT — A portion of a subdivision or other parcel of land as a unit for transfer of ownership or for development. "Lot" shall also mean plot, parcel or site.

MAJOR SUBDIVISION — Any subdivision not classified as a minor subdivision, including but not limited to subdivisions of five (5) or more lots, or any size subdivision requiring any new street or extension of municipal facilities.

MINOR SUBDIVISION — Any subdivision containing not more than four (4) lots fronting on an existing street, not involving any new street or road or the extension of municipal facilities and not adversely affecting the development of the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Master Plan, Official Map or Zoning Ordinance, if such exist, or these regulations.

MINOR SUBDIVISION PLAN — A drawing showing the information specified in these regulations, to be filed with the Planning Board and the Building Inspector of the Town of Riverhead.

PLANNING BOARD — The Planning Board of the Town of Riverhead.

PRELIMINARY PLAT — A drawing as defined in Subdivision 2(a) of Section 276 of the Town Law.

Editor's Note: See Ch. 108, Zoning.

SKETCH PLAN — A sketch of a proposed subdivision showing the information specified in these regulations to enable the subdivider to save time and expense in reaching general agreement with the Planning Board as to the form of the layout and objectives of these regulations.

STREET — A way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or however otherwise designated.

STREET WIDTH — The width of the right-of-way measured at right angles to the center line of the street.

SUBDIVIDER — Any person, firm, corporation, partnership or association who shall lay out any subdivision or part thereof, as defined herein, either for himself or others.

SUBDIVISION — The division of any parcel of land into two (2) or more lots, blocks or sites, with or without streets or highways, and includes resubdivision.

SURVEYOR — A person licensed as a land surveyor by the State of New York.

Section 108-96. Minor Subdivision

Subsection 108-96 (a). Procedure

- A. Sketch plan. A sketch plan prepared in accordance with §108-96 may be submitted. The subdivider shall submit seven (7) copies of the sketch plan, clearly marked "Sketch Plan of a Minor Subdivision." The subdivider will be advised of the time and place of the meeting when the Planning Board will consider the sketch plan, and the subdivider or his agents shall be present at this meeting or request an adjournment thereof. The Planning Board shall determine that the proposed minor subdivision does not create traffic, safety or drainage problems and does not significantly affect the development of surrounding properties. The Planning Board must be satisfied that the subdivision is not a plan to circumvent the subdivision regulations of the Planning Board of the Town of Riverhead for a larger parcel of property. If the Planning Board finds that the sketch plan, or sketch plan as modified, meets the purposes of these regulations, the subdivider or his agents may proceed with the preparation of a minor subdivision plan.

B. Minor subdivision plan.

- (1) The subdivider shall submit ten (10) copies of a map clearly marked "Minor Subdivision Plan" in accordance with the requirements herein set forth. If the subdivider has not submitted a sketch plan, the Planning Board shall determine that the proposed subdivision does not create traffic, safety or drainage problems and does not significantly affect the development of surrounding properties, and the Planning Board must be satisfied that the subdivision is not a plan to circumvent the subdivision regulations of the Planning Board of the Town of Riverhead for a larger parcel of property.
- (2) If the Planning Board finds that the minor subdivision plan meets the purposes of these regulations, the Planning Board will adopt a resolution approving the minor subdivision plan and cause a copy of the resolution, together with a copy of the minor subdivision plan, to be filed with the Building Inspector.
- (3) If the lots shown on the minor subdivision plan are not conveyed or devised by will prior to a change or amendment to the Zoning Ordinance of the Town of Riverhead' which would make the lots nonconforming to the Zoning Ordinance, the approval shall be deemed null and void.
- (4) Before granting final approval to a minor subdivision plan, the Planning Board of the Town of Riverhead shall require a covenant restricting the subdivision of any lot or remaining parcel of land which could be further subdivided into lots meeting the area and width requirements of the Zoning Ordinance of the Town of Riverhead' until a major or minor subdivision plan is submitted to the Planning Board complying with the Rules and Regulations of the Planning Board for the Subdivision and Platting of Land. The instrument containing the hereinafter set forth covenant, above referred to, must be recorded in the Suffolk County Clerk's office at the expense of the subdivider, and a certified copy of the filed covenant shall be submitted to the Clerk of the Planning Board of the Town of Riverhead. The covenant shall be executed by the owner of the entire parcel of land being subdivided and/or shall be executed by the purchaser of a parcel of land, designated as a lot.
[Added 9-17-75, approved 10-7-75] -

Subsection 108.96 (b). Sketch plan

The sketch plan shall show the following information:

- A. The name of the owner or identifying title and the name of the hamlet, town and county in which the land is located.
- B. Names and addresses of record owner, subdivider and engineer or surveyor of design of sketch plan.
- C. Location of property lines, existing easements, watercourses, buildings and other essential existing features.
- D. The names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage.
- E. The location of any existing sewers and water mains, culverts and drains on the property to be subdivided.
- F. Location, names and present widths of existing streets, highways, easements, alleys, parks and other public open spaces and similar facts regarding the property and the width of abutting streets.
- G. Date, North point and scale.
- H. The proposed lot lines with approximate dimensions.
- I. Easements.
- J. Approximate area of lots.

Subsection 108.96 (c). Minor subdivision plan

The minor subdivision plan shall show the following information:

- A. The name of the owner or identifying title and the name of the hamlet, town and county in which the land is located.
- B. Names and addresses of record owner, subdivider and engineer or surveyor of design of minor subdivision plan.
- C. Location of property lines, existing easements, watercourses, buildings and other essential existing features.
- D. The names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage.
- E. The location of any existing sewers and water mains, culverts and drains on the property to be subdivided.
- F. Location, names and present widths of existing streets, highways, easements, alleys, parks and other public open spaces and similar facts regarding the property and the width of abutting streets.

G. Date, North point and scale.

H. Easements.

I. Contours, when required by the Planning Board, and the contour intervals as set forth by the Planning Board; and elevations of existing roads, when required by the Planning Board, at points of change in grade and at one-hundred-foot intervals.

J. Key map at a scale of one (1) inch equals six hundred (600) feet.

K. An actual survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances.

L. The bearings and dimensions of the lines of each lot.

M. Area of each lot in square feet (may be in tabular form).

N. The approval of the Suffolk County Department of Health, when required by the Planning Board, for the method of water supply and sewage disposal.

Subsection 108.96 (d). Application and fee

A. A letter of application, together with the requisite number of copies of the sketch plan for minor subdivision or the subdivision plan of minor subdivision, shall be submitted to the Planning Board at least ten (10) days prior to a regular meeting for consideration at that meeting. [Amended 12-19-74, approved 2-19-75]

B. All applications for the consideration of a minor subdivision shall be accompanied by a fee of ten dollars (\$10.) per lot.

C. The applicant shall erect a sign giving notice that an application to the planning board is pending and giving the date, time and place where the regular meeting for consideration of the application, or adjourned date, will be held. The sign will be furnished by the Town of Riverhead. It shall not be set back more than ten (10) feet from the property line and shall not be less than two (2) or more than six (6) feet above the grade at the property line. It shall be displayed for a period of not less than seven (7) days immediately preceding a regular meeting for consideration of the application.

or any adjourned date. The applicant shall file with the planning board an affidavit that he has complied with the provisions of this section. No application shall be considered unless such affidavit has been filed.

Section 108-97. Major Subdivision

Subsection 108-97 (a). Procedure

- A. Sketch plan. A sketch plan prepared in accordance with §108-97(b) may be submitted. The subdivider shall submit seven (7) copies of the sketch plan, clearly marked "Sketch Plan." The subdivider will be advised of the time and place of the meeting when the Planning Board will consider the sketch plan, and the subdivider or his agents shall be present at this meeting or request an adjournment thereof. The Planning Board shall determine whether the sketch plan meets the purposes of these regulations and shall, where it deems necessary, make specific recommendations so that the subdivider or his agents may proceed with the preparation of a preliminary plat. [Amended 12-19-74, approved 2-19-75]

- B. Preliminary plat. The subdivider shall submit twelve (12) copies of the preliminary plat, clearly marked "Preliminary Plat," in accordance with the requirements herein set forth, and the Planning Board will hold a public hearing in accordance with Subdivision 3 of Section 276 of the Town Law.
- C. Final plat. The subdivider shall submit one (1) linen print and seven (7) paper prints and shall submit the copies required for filing in the County Clerk's office, and may submit the linen tracing to the Planning Board within the time and in accordance with the requirements set forth in Section 276 of the Town Law and in accordance with the requirements herein set forth and in accordance with any other applicable state law or local law or ordinance, rule, regulation or resolution.
- D. Improvements. The subdivider shall complete, in accordance with the Board's decision, to the satisfaction of the Board and any other official or body authorized by law to act, all the improvements specified in Section 277 of the Town Law and not specifically waived by the Board, or, alternatively, shall file with the Town Board a performance bond complying with Section 277 of the Town Law, satisfactory to the Town Board as to form, sufficiency, manner of execution and surety, for the completion of such improvements as are not constructed.
- E. Filing. Upon the approval of the final plat, signed by a duly authorized officer of the Planning Board, the subdivider shall file the plat in the office of the County Clerk within the time specified in Subdivision 7 of Section 276 of the Town Law.

Subsection 108-97 (b). General requirements.

The subdivider shall observe the following general requirements and principles of land subdivision:

- A. In general, the proposed subdivision shall conform to the Master Plan, if any, affecting the area.
- B. The arrangement of streets in the subdivision shall provide for the continuation of principal streets in adjoining subdivisions or for their proper projection when adjoining property is not subdivided, and such streets shall be of a width at least as great as that of such existing connecting streets.
- C. In general, main highways and secondary highways shall be of adequate width as may be designated by the Board. The width of minor streets shall not be less than fifty-five (55) feet.

- D. Dead-end or cul-de-sac streets shall not in general exceed four hundred (400) feet in length and shall be equipped with a turnaround roadway having a minimum radius equal to the width of the street.
- E. Block lengths generally shall not exceed one thousand two hundred (1,200) feet in length.
- F. Pedestrian walks or easements for underground utilities not less than ten (10) feet in width may be required near the center of all blocks over eight hundred (800) feet in length.
- G. Each normal block shall be planned to provide two (2) rows of lots, but irregularly shaped blocks indented by cul-de-sac streets and containing interior parks will be acceptable when properly designed.
- H. Curb radii at intersections shall be not less than twenty (20) feet and property lines shall be adjusted accordingly.
- I. Side lines of lots, so far as practicable, shall be at right angles or radial to street lines.
- J. Reversed frontage of lots at street intersections shall be avoided where possible.
- K. Grades of all streets shall be the reasonable minimum, but shall not be less than twenty-five percent (25%) nor more than five percent (5%) for main thoroughfares nor more than ten percent (10%) for minor streets.
- L. In case a tract is subdivided into larger parcels than normal building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical further resubdivision.
- M. Reserve strips. In general, no reserve strips controlling access to land dedicated to public use will be permitted.
- N. Park and playground sites.
- (1) The Planning Board may require that land be reserved for park, playground or other recreational purposes. The Planning Board may require that a cash payment be deposited with the Town Board in a special fund, as required by Section 277 of the Town Law, where the Planning Board deems that land would be inadequate and unsuitable for use as a park, playground or other recreational purposes.
 - (2) Land reserved for recreational purposes shall have an area of five (5) acres for each one hundred (100) lots shown on the plan, or proportional thereto. Any parcel

of land reserved for recreational purposes shall have an area of at least one (1) acre. In meeting these requirements the Planning Board may require, or the developer may reserve, more than one (1) acre within the subdivision for park, playground or recreational purposes, but in no case shall any reserved area be of less than one (1) acre.

- (3) Where the Planning Board deems it to be in the best interest to require the developer to deposit a cash payment or where the developer proposes to make a deposit of cash, the amount to be paid shall be at the rate of one hundred fifty dollars (\$150.) per each lot in the subdivision on or after July 1, 1974, except that for a realty subdivision where the preliminary plat has been approved by the Planning Board after a public hearing held in accordance with Paragraph 3 of Section 276 of the Town Law, the amount to be paid shall be at the rate of sixty dollars (\$60.) per each lot in the subdivision. [Amended 5-8-74, approved 6-18-74]
- (4) Where land is to be reserved for park, playground or other recreational purposes, the developer shall submit a proposed plan for the development of this area in line with the proposed recreational use, which plan shall be reviewed by the Planning Board. The Planning Board may approve same or require amendments or changes thereto before granting its approval. The developer shall also submit an estimate of cost to construct the improvements shown on the plan. The Planning Board will review the estimate and approve or revise the amount of the estimate, and if the construction is not completed prior to the approval of the final subdivision plan, will require a performance bond to ensure that the improvements will be completed.
- (5) If the Planning Board shall require that certain land be reserved for park, playground or other recreational purposes and a cash deposit be made, the cash deposit shall be equal to the amount hereinbefore set forth, e.g., one hundred fifty dollars (\$150.) for each lot in the subdivision, less the cost of land reserved at the rate of two thousand dollars (\$2,000.) per acre and less the cost of the amount approved for the construction of the improvements in the recreational area. [Amended 5-8-74, approved 6-18-74]

- (6) The developer shall present a proposal in the form of covenants and restrictions, which will be set forth in the deed of conveyance for lots within the subdivision, to adequately ensure a proper maintenance of the recreational area. The Planning Board shall approve such covenants and restrictions or require amendments or changes thereto before granting its approval. Upon approval of the covenants and restrictions, the developer shall, prior to the approval of the final subdivision plat, file a declaration with the Town Board of the Town of Riverhead that the covenants and restrictions will be a part of each deed for the lots shown on the subdivision plat.
- O. All required improvements shall be constructed or installed to conform to the specifications of departments or districts of the Town of Riverhead.
- P. Street jogs with center-line offsets of less than one hundred twenty-five (125) feet shall be avoided.
- Q. In general, all streets shall join each other so that for a distance of at least one hundred (100) feet the street is approximately at right angles to the street it joins.
- R. The street plan of a proposed subdivision shall bear a logical relationship to the topography of the property, and all streets shall be arranged so as to obtain as many of the building sites as possible at or above the grade of the streets. Grades of streets shall conform as closely as possible to the original topography.
- S. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Planning Board may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land (as for park purposes in residential districts or for commercial or industrial purposes in appropriate districts). Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.
- T. The Planning Board shall, wherever possible, require that underground utilities be placed in the street right-of-way between the paved roadway and street line to simplify location and repair of lines when they require attention. The subdivider shall install underground service connections to the property line of each lot within the subdivision for such required utilities before the street is paved.

- U. Where topography is such as to make impractical the inclusion of utilities within the street rights-of-way, perpetual unobstructed easements at least twenty (20) feet in width shall be otherwise provided, with satisfactory access to the street. Wherever possible, easements shall be continuous from block to block and shall present as few irregularities as possible. Such easements shall be cleared and graded where required.
- V. In general, street lines within a block, deflecting from each other at any one point by more than ten degrees (10°), shall be connected with a curve, the radius of which for the center line of street shall not be less than two hundred (200) feet.
- W. [Added 4-16-75, approved 5-6-75] Streets from a realty subdivision opening into highways or that portion hereinafter enumerated shall be, in general, five hundred (500) feet apart:
- (1) Wading River-Manorville Road (from Hulse Avenue to the Peconic River).
 - (2) Hulse Landing Road (that portion in the Suffolk county highway system).
 - (3) Fresh Pond Avenue.
 - (4) Edwards Avenue (from Sound Avenue to the Long Island Railroad).
 - (5) Twomey Avenue (from Sound Avenue to Manor Road).
 - (6) Osborne Avenue (from Sound Avenue to Middle Road).
 - (7) Horton Avenue (from Sound Avenue to Middle Road).
 - (8) Roanoke Avenue (from Sound Avenue to Middle Road).
 - (9) Doctor's Path (from Sound Avenue to Middle Road).
 - (10) Northville Turnpike (from Sound Avenue to Doctor's Path).
 - (11) Union Avenue (from Sound Avenue to Main Road).
 - (12) West Lane (from Sound Avenue to Main Road).
 - (13) Phillips Lane (from Sound Avenue to Church Lane).
 - (14) Church Lane (from Sound Avenue to Phillips Lane).
 - (15) Tuthill Avenue.
 - (16) Manor Lane.
 - (17) Herricks Lane.

- (18) Hulse Avenue (from the westerly boundary of the Town of Riverhead to Parker Road).
- (19) Sound Avenue (from Parker Road to the easterly boundary of the Town of Riverhead).
- (20) Parker Road (from Sound Avenue to Middle Country Road).
- (21) Riley Avenue.
- (22) Youngs Avenue.
- (23) Reeve Avenue.
- (24) Deep Hole Road.
- (25) Middle Road (from Manor Road to Harrison Avenue).
- (26) Middle Country Road (from the westerly line of the Town of Riverhead to Manor Road).
- (27) Main Road (from Doctor's Path to the easterly line of the Town of Riverhead).
- (28) Peconic Bay Boulevard.
- (29) Bay Avenue (from Main Road to Peconic Bay Boulevard).

The Board will require marginal access streets to the streets opening onto the hereinabove set forth highways with appropriate lot arrangements providing ingress and egress only to the marginal access road or roads.

Subsection 108-97 (c). Sketch plan

The sketch plan shall show the following information:

- A. Proposed subdivision name or identifying title and the name of the town and county in which the subdivision is located.
- B. Names and addresses of record owner, subdivider and engineer or surveyor of design of sketch plan.
- C. Location of property lines, existing easements, water-courses, buildings and other essential existing features.
- D. The names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage.
- E. The location of any existing sewers and water mains, culverts and drains on the property to be subdivided.
- F. Location, names and present widths of existing and proposed streets, highways, easements, alleys, parks and other public open spaces and similar facts regarding the property and the width of abutting streets.
- G. Date, North point and scale.

- H. The proposed lot lines with approximate dimensions.
- I. Street names, which shall be subject to approval by the Board.
- J. Easements.
- K. Approximate area of lots.
- L. Contours, if required by the Planning Board, and at intervals as specified by the Planning Board.
- M. Key map at a scale of one (1) inch equals six hundred (600) feet.

Subsection 108-97 (d). Preliminary plat

The preliminary plat shall show the following information:

- A. Proposed subdivision name or identifying title and the name of the town and county in which the subdivision is located.
- B. Names and addresses of record owner, subdivider and engineer or surveyor of design of preliminary plat.
- C. Location of property lines, existing easements, water-courses, buildings and other essential existing features.
- D. The names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage.
- E. The location of any existing sewers and water mains, culverts and drains on the property to be subdivided.
- F. Location, names and present widths of existing and proposed streets, highways, easements, alleys, parks and other public open spaces and similar facts regarding the property and the width of abutting streets.
- G. Date, North point and scale.
- H. The proposed lot lines with approximate dimensions.
- I. Street names, which shall be subject to approval by the Board.
- J. Easements.
- K. Approximate area of lots.

- L. Contours at intervals of two (2) feet, or less if required by the Planning Board, or at a greater interval when approved by the Planning Board, and elevations of existing roads at points of change in grade and at one-hundred-foot intervals. The datum shall be designated and the elevation of two (2) monuments or other permanent objects shall be set forth on the plat.
- M. Grading plan by showing proposed contours where natural contours are to be changed more than three (3) feet.
- N. All data that would enable the Superintendent of Highways to determine that the rules and regulations for the dedication of a public highway in the Town of Riverhead, Suffolk County, New York, are complied with, including but not limited to cross section of highway, profile of streets, drainage facilities and storm sewers. (This data or any part thereof may be shown on the preliminary plat or on a plan made a part of the preliminary plat.)
- O. Detail plan of any other improvements required by the Planning Board.
- P. Scale of map, not more than one hundred (100) feet to the inch.
- Q. Key map at a scale of one (1) inch equals six hundred (600) feet.
- R. An actual survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances. The bearings shall be referenced to the North as established in the New York State coordinate system, and a coordinate referenced to the New York State coordinate system shall be set forth for a definite angle point in the perimeter.
- S. A letter of intent or designated stamp from the Suffolk County Department of Health and/or the Suffolk County Department of Environmental Control, approving the methods of water supply and sewage disposal.

Subsection 108-97 (e). Final plat

- A. The final plat shall be prepared in accordance with Section 335 of the Real Property Law.
- B. The final plat shall show the following information:
- (1) Proposed subdivision name or identifying title and the name of the town and county in which the subdivision is located.
 - (2) Names and addresses of record owner, subdivider and engineer or surveyor of design of final plat.
 - (3) The names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage.
 - (4) Street lines, pedestrian walks, lots, reservations and easements.
 - (5) Date, North point and scale.
 - (6) Scale of map, not more than one hundred (100) feet to the inch.
 - (7) Key map at a scale of one (1) inch equals six hundred (600) feet.
 - (8) An actual survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances. The bearings shall be referenced to the North as established in the New York State coordinate system, and a coordinate referenced to the New York State coordinate system shall be set forth for a definite angle point in the perimeter.
 - (9) The length of all straight lines and radii and length of curves for each street.
 - (10) The length of all lot lines.
 - (11) Area of each lot in square feet (may be in tabular form).
 - (12) Lots within the subdivision numbered in numerical order.
 - (13) The stamp of approval from all required governmental agencies, including but not limited to the Suffolk County Department of Health and the Suffolk County Department of Environmental Control.

(14) A certificate, for the use of the Secretary of the Board, on the plat as follows:

"THIS IS TO CERTIFY that this subdivision map has been approved as provided by Article 16 of the Town Law.

Date of Approval

_____ 19_____

Town of Riverhead Planning Board

By _____ Secretary

"The approval of this map does not constitute the acceptance of highways shown hereon as public roads."

Subsection 108-97 (f). Application and fee

- A. Sketch plan. A letter of application, together with the requisite number of copies of the sketch plan, shall be submitted to the Planning Board at least ten (10) days prior to a regular meeting for consideration at that meeting. All applications for the consideration of the sketch plan shall be accompanied by a fee of fifty dollars (\$50.).
- B. Preliminary plat. A letter of application, together with the requisite number of copies of the preliminary plat, shall be submitted to the Planning Board at least ten (10) days prior to a regular meeting for consideration at that meeting. All applications for the consideration of a preliminary plat shall be accompanied by a fee of five dollars (\$5.) per acre or part thereof in the proposed subdivision if a sketch plan has been submitted, or shall be accompanied by a fee of fifty dollars (\$50.) plus five dollars (\$5.) per acre or part thereof in the proposed subdivision if a sketch plan has not been submitted.
- C. Final plat. A letter of application, together with the requisite number of copies of the final plat, shall be submitted to the Planning Board at least ten (10) days prior to a regular meeting for consideration at that meeting. The fee for final subdivision shall be waived unless a subdivider submits the final plat together with data required for preliminary plat, in which case the application shall be accompanied by a fee of fifty dollars (\$50.) plus five dollars (\$5.) per acre or part thereof in the proposed subdivision.

D. The applicant shall erect a sign giving notice that an application to the planning board is pending and giving the date, time and place where the regular meeting for consideration of the application, or adjourned date, will be held. The sign will be furnished by the Town of Riverhead. It shall not be set back more than ten (10) feet from the property line and shall not be less than two (2) or more than six (6) feet about the grade at the property line. It shall be displayed for a period of not less than seven (7) days immediately preceding a regular meeting for consideration of the application or any adjourned date. The applicant shall file with the planning board an affidavit that he has complied with the provisions of this section. No application shall be considered unless such affidavit has been filed.

Section 108-98. Variances and Waivers; Amendments

Subsection 108-97 (a). Variation in case of hardship

Where the Planning Board finds that extraordinary and unnecessary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such variations will not have the effect of nullifying the intent and purpose of the Official Map, the Master Plan or the Zoning Ordinance,³ if such exist.

³ Editor's Note: See Ch. 108, Zoning.

Subsection 108-97 (b). Waiver of required improvement

Where the Planning Board finds that, due to the special circumstances of a particular plat, the provision of certain required improvements is not requisite in the interest of the public health, safety and general welfare or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, it may waive such requirements, subject to appropriate conditions.

Subsection 108-97 (c). Board to impose conditions

In granting variances and modifications, the Planning Board shall require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

Subsection 108-97 (d). Amendments and changes

The Town of Riverhead Planning Board may from time to time amend, supplement, change, modify or repeal any of the rules and regulations above set forth.

Upon the aforementioned new Article XXX becoming effective, the present Subdivision Regulations contained in Chapter A-115 of the Code of the Town of Riverhead shall be deleted.

By amending the Zoning District Use Schedule at page 10893 of the Code of the Town of Riverhead, by deleting the following words "See § 108-30, See § 108-31, See § 108-31, See § 108-31" under the headings listed below, so as corrected the schedule in pertinent part appears as follows:

	Minimum Front Yard Depth (feet)	Minimum Either Side Yard Width (feet)	Minimum Both Side Yards, Total Width (feet)	Minimum Side Yard Width Abutting Side Street (feet)
Bus. A (Article VII)	25	15	30	25

Zoning District Use Schedule

Use District	Minimum Lot Area (sq. ft.)	Minimum Lot Width (feet)	Maximum Building Area ⁷ (%)	Maximum Height (feet)	Minimum Front Yard Depth (feet)	Minimum Either Side Yard Width (feet)	Minimum Both Side Yards, Total Width (feet)	Minimum Side Yard Abutting Side Street (feet)	Minimum Rear Yard Depth (feet)
Res. A (Article III)	40,000 ⁸	100	20	35	60	50	60	60	60
Res. B (Article IV)	22,000	125	20	35	50	20	40	50	50
Res. C (Article V)	See § 108-17	100	30	35	40	10	25	25	40
Agric. A (Article VI)	20,000	100	30 ¹	35 ¹	40	10	25	25	40
Bus. A (Article VII)	See § 108-29	See § 108-29	30 ¹	35 ¹	See § 108-30	See § 108-31	See § 108-31	See § 108-31	25
Bus. B ³ (Article VIII)	None	None	15 ¹	50 ¹ / 35 ¹	50 ⁴	25	50	50	50 ¹
Bus. C (Article IX)	None	None	30 ¹	50 ² / 35 ¹	25 ⁴	25	25	25	50 ¹
Bus. D (Article X)	None	None	30 ¹ See § 108-39	50 ² / 35 ¹	12	None	None	2	None
Ind. A (Article XI)	40,000	200	40	35 ¹	50	25	50	50	25
Ind. B (Article XII)	None	None	30 ¹	35 ¹	50	50	100	100	50

10893

4-25-76

NOTE 1: Except where otherwise authorized by Board of Appeals as provided in this chapter.
 NOTE 2: Where public water system has been installed with a hydrant located within one thousand (1,000) feet of the building capable of delivering seven hundred (700) gallons per minute at twenty (20) pounds per square inch.
 NOTE 3: For residential requirements, see Agriculture A District, Article VI.
 NOTE 4: Fifteen (15) feet of total required shall be unoccupied area.
 NOTE 5: If lot is a through lot, fifteen (15) feet of total required shall be unoccupied area.
 NOTE 6: Also, see § 108-07.
 NOTE 7: The maximum building area in percent in the Business B District may exceed the stated amount by special permit of the Town Board, but not beyond the requirements of the parking schedule. [Added 3-2-70]

By adding the following to the Parking Schedule, pages 10895 and 10896 of the Code:

All Business and Industrial Use Districts must conform to the following:

Screen Planting.

- (1) There shall be provided a landscaped area of at least twenty-five (25) feet in depth wherever any district other than a residence district shall adjoin land owned or maintained by New York State, Suffolk County, Riverhead Town or any of their commissions, subdivisions of departments, and such land owned or maintained by New York State, Suffolk County, Riverhead Town or any of their commissions, subdivisions or departments is used or contemplated for use as parkland or recreational land.
- (2) Wherever a residence district adjoins any business district or industrial district, there shall be provided a landscaped buffer area of at least twenty-five (25) feet in width in each such abutting business or industrial districts. Such buffer zone shall be restricted to residential uses; and no structure, storage, parking or other similar accessory uses shall be permitted within such area unless specifically relaxed by the Town Board after public hearing.
- (3) Trees. Trees every twenty (20) feet shall be required along street frontages, unless specifically excepted by the Town Board when granting a change of zone application. The distance between trees shall be computed without taking into account that footage devoted to driveways, and in no instance shall trees be planted within five (5) feet of a driveway or edge of a driveway.

- (4) Fencing and/or screen planting. Unless specifically waived or otherwise amended by the Town Board, wherever the ordinance requires a buffer zone to protect residential properties, a six-foot-high chainlink fence with stockade attached shall be required and the buffer area seeded and/or planted with appropriate ground cover.
- (5) Screen planting, and/or fencing, where required, shall begin at ground level fifteen (15) feet back from the front property line and taper to full height at a distance twenty (20) feet back from the front property line.
- (6) Where the applicant's building or buildings are retail in nature and where the aggregate square footage is twenty-five thousand (25,000) square feet or more, the applicant must provide landscaped raised islands within the parking area at the rate of twenty (20) square feet of landscaped islands per each parking space required. Such islands shall be at least eight (8) feet wide, measured on the shortest side, and surrounded by curbing that conforms to the town standard specifications. Wherever possible, such islands shall be installed so as to separate parked vehicles. Such islands shall be landscaped with one (1) tree every twenty (20) feet and with appropriate shrubbery, which landscaping shall be maintained.

(7) Maintenance of screening-buffer facilities.

(a) Any land that is or has been designated or required to be a screening area or buffer area pursuant to an

approval by the Town Board, Planning Board or Zoning

Board of Appeals of any grant of an application for a Change of zone, variance, special exception, site plan approval, or zoning plan approval, or which is required by ordinance or local law, must be maintained by the owner of the property or any of the owners, successors in interest, or assignees.

(b) When it is determined by the Town Board that any land is not maintained pursuant to such grant or ordinance, the Building and Zoning Department shall notify the owner of record of such land by registered mail to the address shown on the last preceding assessment rool to erect, replace, repair or maintain fences, trees, plantings, shrubbery or other screening pursuant to the plan or ordinance.

(c) In the event the owner of record does not comply with the notice within thrity (30) days of the date of said mailing the Building and Zoning Department may take the appropriate action to erect, replace, repair or maintain fences, trees, plantings, shrubbery or other screening on the designated land. The Building and Zoning Department shall certify by affidavit the costs incurred either by his Department or otherwise to the Town Board. The Town Board shall by resolution instruct the Town Clerk to publish a public notice that a public hearing will be held for the purpose of adding to the assessment rool of the described lot or parcel the costs incurred and that at the public hearing the Town Board will hear and

consider any objections which may be made to such roll. The publication of such notice shall not be less than ten (10) days before the time specified for such hearing. The Town Board, after public hearing, may then cause such assessment to become a lien and may direct the Town Assessor to place it on the assessment roll.

By amending the Parking Schedule, "Use: "Retail Stores in Business "B" District" by deleting the following:

"1 per 120 square feet of floor area"

and adding the following:

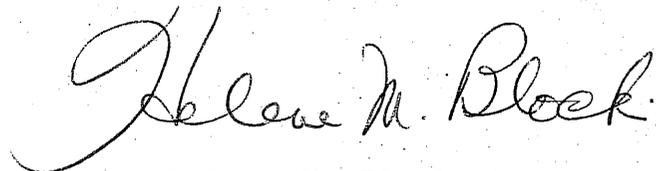
"1 per 150 square feet of floor area"

BE IT FURTHER RESOLVED, That any person desiring to be heard on the aforesaid amendments shall appear at the time and place above specified.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

There being no further on motion and vote, the Meeting adjourned at 9:00 P.M. to meet March 1, 1977 at 7:30 P.M.



Helene M. Block, Town Clerk