

Withdrawn - 04-19-07 354

TOWN OF RIVERHEAD

Resolution 354

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (§108-3. Definitions. and §108-64.6. Farm Stands)

Councilman Bartunek offered the following resolution, was seconded by Councilwoman Blass.

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the April 26, 2007 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Planning Department; the Planning Board; the Zoning Board of Appeals; the Building Department, the Town Attorney Investigation Unit and the Office of the Town Attorney.

THE VOTE

DUNLEAVY YES ___ NO BARTUNEK YES ___ NO
BLASS YES ___ NO DENSIESKI YES NO
CARDINALE YES ___ NO

THIS RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

TownBrdShare\$onTorserv1:farmstand

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 1st day of May, 2007 at 7:25 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

Chapter 108
Zoning
Article I
General Provisions

§108-3. Definitions; word usage.

B. For the purpose of this chapter, certain terms and words are herewith defined as follows:

FARM STAND – A building or structure greater than 100 square feet in area designed to house the direct marketing of locally produced agricultural products, enhanced agricultural products and handmade crafts. Roadside “pick-your own” operations and agri-tourism attractions are considered to be farm stands. The minimum lot area supporting a farm stand shall be 80,000 sq. ft. for any new farm stand constructed after the date of adoption of this local law.

AGRI-TOURISM ATTRACTION- those activities conducted upon agriculturally zoned land which predominantly use agricultural products, buildings or equipment, fields, etc. Such non-agriculturally related uses include: crop mazes, pumpkin rolling, barn dances, pony rides, sleigh rides and educational events such relating to farming or use of farm products.

Chapter 108
Zoning
Article XIII
Supplementary Use Regulations

§108-64.6. Farm Stands.

- A. No building permit or use permit shall be issued for a farm stand prior to the approval of a farm stand plan by resolution of the Town of Riverhead Town Planning Board.
- B. For farms stands with a floor area of 1,000 square feet or greater, a farm stand plan shall consist of the following:

- (1) A topographic survey of the premises at a (five) 5 foot contour showing all existing structures, buildings, hard surfaces, curbs, drainage structures, fences, landscaped areas and open area attractions.
 - (2) The location of all proposed structures, buildings, hard surfaces, curbs, drainage structures, fences, landscaped areas open area attractions.
 - (3) Off street parking stalls of either pervious or impervious surfaces, exclusive of driveways and turn-arounds, pursuant to the following schedule:
 - (a) The equivalent of one 10x20 ft. stall per 200 sq. ft. of retail sales area or display area with a minimum of two (2) stalls.
 - (b) For all outdoor agricultural attractions or "pick your own" growing areas and agri-tourism attractions up to (two) 2 acres there must be a minimum of ten 10 x 20 ft. parking stalls provided (or the equivalent of 20,000 sq. ft. of parking area). For outdoor agricultural attractions and "pick your own" growing areas in excess of two acres, there shall be four (4) additional 10x20 ft. parking stalls provided (or the equivalent of 800 sq. ft of parking area) for each additional acre. This requirement shall be prorated for properties of less than 3 acres in size.
 - (c) All parking areas at "pick your own" growing areas and agri-tourism attractions shall be constructed such that parking area is within an area having a minimum of a twenty (20) foot depth when measured from the property line adjacent to the road frontage.
 - (4) Defined ingress and egress for driveways serving parking areas designed to physically restrict and channel motor vehicle movements with a maximum of two (2) access driveways each being a minimum of forty (40) feet in width per lot improved with a farm stand.
 - (5) Proposed buildings conforming to the following yards:
 - (a) Front yard – (fifty) 50 feet
 - (b) Rear yard – (fifty) 50 feet
 - (c) Side yard – (fifty) 50 feet
- C. A farm stand plan for farm stands of 999 square feet or less of retail sales area shall consist of a scaled drawing at one (1) inch per 200 feet as well as B(2), (3) and (5) above.
- D. No seasonal signs advertising produce or attractions shall be located as to limit visibility or sight distance.
- E. All existing farm stands shall secure a farm stand permit within twelve (12) months of the effective date of this amendment. Farmstands that pre-exist the date of adoption of this local law shall be entitled to seek relief from the dimensional requirements set forth herein by making application to the Zoning Board of Appeals. Such applications

Comment:

shall not be required to receive a denial from the Building Department prior to making application to the Zoning Board of Appeals. The Zoning Board of Appeals shall have original jurisdiction in these instances.

4/17/07

Withdrawn - 04-19-07

Tabled

TOWN OF RIVERHEAD

Resolution # 373

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING"
OF THE RIVERHEAD TOWN CODE
(Agriculture Protection Zoning Use District (APZ))**

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 20th day of March, 2007 at 7:10 o'clock p.m. at the Riley Avenue Elementary School, Riley Avenue, Calverton, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

Dunleavy ✓	yes	no	Bartunek ✓	yes	no
Blass ✓	yes	no	Densieski ✓	yes	no
			Cardinale ✓	yes	no

THE RESOLUTION **WAS** **WAS NOT**
THEREFORE DULY ADOPTED

Tabled

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on April 17, 2007. **Be it enacted by the Town Board of the Town of Riverhead as follows:**

**Chapter 108
Zoning**

**ARTICLE VI
Agriculture Protection Zoning Use District (APZ)**

§ 108-26.1. Guidelines.

The following guidelines are to be applied in addition to subdivision regulations (Article XX) and cluster development (Article XIX) and shall apply to all cluster subdivisions within the APZ:

- A. In order to better preserve agricultural vistas, the cluster subdivision plat shall be designed so as to situate agricultural lots along Sound Avenue or NYS Route 25.
- B. The cluster subdivision plat must locate and arrange the residential lots so as to protect, to the maximum extent practicable, that portion of the tract preserved for agricultural use.
- C. The cluster subdivision plat must depict an arrangement of residential lots so as to reduce, to the maximum extent practicable, any nuisance or conflict between residential and agricultural uses, both within the tract and in relation to adjoining and nearby tracts and to demonstrate compatibility of the cluster plat with existing residential development and agricultural land uses.
- D. The residential portion of the cluster subdivision plat must be so laid out, and protected during construction, as to remain as harmonious to the greatest extent practicable with the natural environment minimizing the clearing of treed areas, the grading of earth, removal of soils, and precluding the disturbance of surface waters and wetlands and other similar disturbances of the natural environment pursuant to Chapter 107 of the Riverhead Town Code.
- E. The agricultural lots of a cluster subdivision plat must be so laid out as to provide for a minimum lot size of 10 acres, a minimum building area of one acre, contiguity with existing agricultural tracts, bounding of prime agricultural soils and retention of all storm water runoff.
- F. The cluster subdivision tract must demonstrate the ways in which scenic vistas are being considered or enhanced and shall depict a lot arrangement which has considered the visual impact of residential development upon such vistas.
- G. ~~The Planning Board shall not cluster lots in order to create golf courses,~~

playgrounds, tennis courts, swimming pools or any other amenity as required open space. The purpose of the cluster plan is to preserve agricultural land for agricultural use and other natural features to the greatest extent practicable.

G. As the purpose of this Article is to conserve agricultural lands to the greatest extent practicable, the Planning Board shall not approve cluster subdivisions which set aside open space to be used as golf courses, playgrounds, tennis facilities or any other outdoor recreational facilities. In the review of applications for cluster subdivisions which preserve existing golf courses or any other outdoor recreational activity, the Planning Board shall observe the following guidelines:

- (i) The yield shall be fifty percent (50%) of the yield allowed in the applicable zoning use district.
- (ii) Cluster subdivisions shall be limited to attached homeowner association realty subdivisions. The Planning Board shall not entertain or approve condominium maps pursuant to Article XXIX of the Town of Riverhead Zoning Ordinance.
- (iii) All residential units shall be restricted to owners of the age of 55 years or older.

- Underline represents addition(s)
- Overstrike represents deletion(s)

Dated: Riverhead, New York
April 17, 2007

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town Clerk

Adopted

TOWN OF RIVERHEAD

Resolution # 381

ACCEPTS AND RELEASES IRREVOCABLE STANDBY LETTER OF CREDIT OF SUFFOLK 87 ASSOCIATES (COUNTY SEAT PLAZA)

COUNCILMAN DENSIESKI

_____ offered the following resolution, was seconded by

COUNCILMAN BARTUNEK

WHEREAS, by Riverhead Town Board Resolution #427 dated May 3, 2005 and Riverhead Town Board Resolution #641, dated July 6, 2005, the Riverhead Town Board did approve the site plan of County Seat Plaza at Riverhead Phase I and Phase II, respectively, a/k/a Suffolk 87 Associates; and

WHEREAS, one of the conditions of said site plan approval was the requirement of the posting of security in the amount of \$150,000.00 to insure the completion of Phases I and II as depicted on the site plan prepared by Bohler Engineering last dated April 25, 2005; and

WHEREAS, the posting of security was never accepted by a Town Board resolution.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts North Fork Bank Irrevocable Standby Letter of Credit No. 3330001127 in the amount of \$150,000.00; and be it further

RESOLVED, by memorandum of Vincent A. Gaudiello, P.E., dated November 15, 2006, it is recommended that the North Fork Bank Irrevocable Standby Letter of Credit No. 3330001127 in the amount of \$150,000.00 may be released, upon the acceptance of the posting of additional security to insure the completion of the improvements to the parking area; and be it further

RESOLVED, that upon the acceptance of the posting of additional security, the Town Board of the Town of Riverhead hereby releases North Fork Bank Irrevocable Standby Letter of Credit No. 3330001127 in the amount of \$150,000.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert F. Kozakiewicz, Esq., 431 Griffing Avenue, P.O. Box 341, Riverhead, New York, 11901; the Building Department; the Planning Department and the Office of the Town Attorney.

THE VOTE

Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Bless	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Tabled

TOWN OF RIVERHEAD

Resolution # 382

Grants Special Use Permit of Ric Stott (Suffolk Theatre)

Increased Lot Coverage

COUNCILMAN BARTUNEK offered the following resolution, which was seconded by **COUNCILWOMAN BLASS**

WHEREAS, the Riverhead Town Board is in receipt of a special use permit from Ric Stott pursuant to Section 108-69 of the Riverhead Town Code to allow a lot coverage of 84 percent rather than the allowed 80 percent upon a property within the Riverhead Parking District located at Main Street, Riverhead, such real property more particularly described as Suffolk county Tax Map Parcel Number 0600-129-1-8.4, and

WHEREAS, by Resolution No. 156 dated February 21, 2007, the Riverhead Town Board declared itself to be the lead agency in the matter and further determined the action to be unlisted pursuant to 6NYCRR Part 617, and a draft environmental impact statement need not be prepared, and

WHEREAS, the Town Board held a public hearing on this matter on the 20th day of March 2007 pursuant to Section 108-133.4 B of the Town of Riverhead Zoning ordinance, and

WHEREAS, the petition was referred to the Suffolk County Planning Commission for its report and recommendation; such Planning Commission concluding the mater of local determination, and

WHEREAS, the Town Board of the Town of Riverhead has carefully considered the merits of the special use permit petition, the SEQRA record created to date, the report of the Planning Department, the commentary made at the relevant public hearing, as well as all other planning, zoning and environmental information, now

THEREFORE BE IT

Suffolk Theatre
Resolution

RESOLVED, that the matter of the special use permit of Ric Stott, the Riverhead Town Board hereby finds that the subject property is particularly suitable for the increased lot coverage proposed, and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby grants the special use permit of Ric Stott (Suffolk Theatre), and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded to Rick Stott as agent for the applicant.

THE VOTE
Dunleavy yes no Bartunek yes no
Blass yes no Densieski yes no
Cardinale yes no
THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Tabled

TOWN OF RIVERHEAD

Resolution # 383

Adopted

Calls Public Hearing on Special Permit of Ottoman Enterprises

_____ **COUNCILWOMAN BLASS** _____ offered the following resolution which
was seconded by _____ **COUNCILMAN DENSIESKI** _____

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Ottoman Enterprises, Inc. II pursuant to Article XXVIA and Section 108-51A. of the Riverhead Town Code, for the demolition and reconstruction of an existing gas station and convenience store on a 0.48ac. parcel zoned Industrial C, such property more particularly described as SCTM 0600-124-3-21.1, and

WHEREAS, the Riverhead Town Board has by Resolution #512 of 6/6/06 declared the petition a Type II action for the purposes of compliance with the State Environmental Quality Review Act, and

WHEREAS, the Riverhead Zoning Board of Appeals has by determination dated 2/14/07 awarded the necessary relief to the project on front, side and rear yard setbacks and impervious coverage, and

WHEREAS, the Town Board wishes to proceed with the requisite public hearing,
now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed and is hereby authorized to forward a certified copy of this resolution to the Planning Department and to the applicant or his agent and to publish and post the following notice of public hearing.

THE VOTE

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

**THE RESOLUTION ~~X~~ WAS _____ WAS NOT
THEREFORE DULY ADOPTED**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at the Senior Citizen Human Resource Center, 60 Shade Tree Lane, Aquebogue, New York on the 16th day of May 2007 at 7:30 o'clock PM to consider the special use permit of Ottoman Enterprises to allow the expansion of a pre existing, non conforming gas station and convenience store pursuant to Section 108-51A. of the Riverhead Town Code on a 0.48ac. parcel zoned Industrial C; such real property being located on West Main Street, Riverhead, New York and more particularly described as Suffolk County Tax Map Parcel Number 0600-124-3-21.1.

Dated: Riverhead, New York
April 19, 2007

BY THE ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD

Adopted

April 19, 2007

RESOLUTION NO. 384

TOWN OF RIVERHEAD

APPOINTS A PRINCIPAL ACCOUNTANT TO THE ACCOUNTING DEPARTMENT

COUNCILMAN DENSIESKI

_____ offered the following resolution, which was seconded by COUNCILMAN DUNLEAVY.

WHEREAS, the vacancy of Principal Accountant exists in the Accounting Department; and

WHEREAS, Suffolk County Department of Civil Service has certified that no list exists for the title and has given provisional approval to hire for the title of Principal Accountant, and

WHEREAS, it is the recommendation of the Town Board and the Town Supervisor that William Rothaar be appointed provisionally to the title of Principal Accountant.

NOW, THEREFORE, BE IT RESOLVED, that William Rothaar is hereby appointed provisionally to the position of Principal Accountant/Financial Administrator effective April 23, 2007, and that the Supervisor is hereby authorized to execute a department head contract with Mr. Rothaar, subject to Town Board approval of contract.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to William Rothaar, the Accounting Department and the Personnel Officer.

THE VOTE

Dunleavy yes no Bartunek yes no

Blass yes no Densieski yes no *abtain*

Cardinale yes no

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

4/19/07

Adopted

TOWN OF RIVERHEAD

Resolution # 385

APPOINTS A PARK ATTENDANT III, LEVEL II TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN BARTUNEK

offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Dillon Kix is hereby appointed as a Park Attendant III, Level II effective, May 15th,2007 to and including September 15th,2007 and to serve as needed on an at will basis to be paid at the rate of \$11.30 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department, Dillon Kix, and the Office of Accounting.¹

THE VOTE

Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

¹ Rec. Doris/ Resolution. Park Attend III Level II Dillon Kix

4/19/07

Adopted

TOWN OF RIVERHEAD

Resolution # 386

RATTIFIES APPOINTMENT OF A PARK ATTENDANT II LEVEL I TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

RESOLVED, that Dillon Kix is hereby appointed as a Park Attendant II, Level I effective, April 9, 2007 to serve as needed on an at will basis to be paid at the rate of \$9.75 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to Dillon Kix, the Recreation Department and the Office of Accounting.¹

THE VOTE

Dunleavy yes ___ no Bartunek yes ___ no
 Blass yes ___ no Densieski yes ___ no
 Cardinale yes ___ no

THE RESOLUTION WAS ___ WAS NOT
 THEREFORE DULY ADOPTED

¹ Rec. Doris/ Resolution. Park Attend II Level I Kix

April 19, 2007

Adopted

TOWN OF RIVERHEAD

**EMERGENCY REPAIR OF BACKSTOP FENCING
AT STOTZKY PARK FIELD #3**

BUDGET ADJUSTMENT

RESOLUTION # 387

COUNCILMAN DENSIESKI offered the following resolution,
which was seconded by COUNCILMAN DUNLEAVY.

BE IT RESOLVED, that the Supervisor be, and is hereby, authorized to establish the following budget adjustment:

		<u>FROM</u>	<u>TO</u>
406.071100.523020.70051	Fence Installation & Improv	\$6,000	
406.071100.523011.70054	Ballfield Improvements	\$2,250	
406.071100.524911.70059	Fence Installation Improv.		\$8,250

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

04/19/2007

TOWN OF RIVERHEAD

Adopted

Resolution # 388

**APPOINTS A P/T RECREATION AIDE/ SKATEPARK
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

which was seconded by _____ **COUNCILWOMAN BLASS**

RESOLVED, that Kyle Meeker is hereby appointed to serve as a P/T Recreation Aide/ Skate Park Level II effective April 20, 2007 to serve as needed on an at-will basis and to be paid at the rate of \$8.25 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department, Kyle Meeker, and the Office of Accounting.

1

THE VOTE

Dunleavy yes ___ no Bartunek yes ___ no
 Blass ___ yes ___ no Densieski yes ___ no
 Cardinale yes ___ no

**THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED**

¹ Rec. Doris/ Res PT rec aide skate Kyle Meeker

04/19/2007

TOWN OF RIVERHEAD

Adopted

Resolution # 389

APPOINTS A P/T RECREATION AIDE/ SKATEPARK TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN BLASS offered the following resolution,
which was seconded by COUNCILMAN BARTUNEK

RESOLVED, that Justin Grohoski is hereby appointed to serve as a P/T Recreation Aide/ Skate Park Level II effective April 20, 2007 to serve as needed on an at-will basis and to be paid at the rate of \$8.25 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department,,Justin Grohoski, and the Office of Accounting.

1

THE VOTE

Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

¹ Rec. Doris/ Res PT rec aide skate Justin Grohoski

4/17/07

Adopted

TOWN OF RIVERHEAD

Resolution # 390

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING"
OF THE RIVERHEAD TOWN CODE
(Agriculture Protection Zoning Use District (APZ))

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

COUNCILMAN DENSIESKI
_____:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 20th day of March, 2007 at 7:10 o'clock p.m. at the Riley Avenue Elementary School, Riley Avenue, Calverton, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

Dunleavy ✓	yes	no	Bartunek ✓	yes	no
Blass ✓	yes	no	Densieski ✓	yes	no
			Cardinale ✓	yes	no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on April 17, 2007. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**Chapter 108
Zoning**

**ARTICLE VI
Agriculture Protection Zoning Use District (APZ)**

§ 108-26.1. Guidelines.

The following guidelines are to be applied in addition to subdivision regulations (Article XX) and cluster development (Article XIX) and shall apply to all cluster subdivisions within the APZ:

- A. In order to better preserve agricultural vistas, the cluster subdivision plat shall be designed so as to situate agricultural lots along Sound Avenue or NYS Route 25.
- B. The cluster subdivision plat must locate and arrange the residential lots so as to protect, to the maximum extent practicable, that portion of the tract preserved for agricultural use.
- C. The cluster subdivision plat must depict an arrangement of residential lots so as to reduce, to the maximum extent practicable, any nuisance or conflict between residential and agricultural uses, both within the tract and in relation to adjoining and nearby tracts and to demonstrate compatibility of the cluster plat with existing residential development and agricultural land uses.
- D. The residential portion of the cluster subdivision plat must be so laid out, and protected during construction, as to remain as harmonious to the greatest extent practicable with the natural environment minimizing the clearing of treed areas, the grading of earth, removal of soils, and precluding the disturbance of surface waters and wetlands and other similar disturbances of the natural environment pursuant to Chapter 107 of the Riverhead Town Code.
- E. The agricultural lots of a cluster subdivision plat must be so laid out as to provide for a minimum lot size of 10 acres, a minimum building area of one acre, contiguity with existing agricultural tracts, bounding of prime agricultural soils and retention of all storm water runoff.
- F. The cluster subdivision tract must demonstrate the ways in which scenic vistas are being considered or enhanced and shall depict a lot arrangement which has considered the visual impact of residential development upon such vistas.
- G. ~~The Planning Board shall not cluster lots in order to create golf courses,~~

~~playgrounds, tennis courts, swimming pools or any other amenity as required open space. The purpose of the cluster plan is to preserve agricultural land for agricultural use and other natural features to the greatest extent practicable.~~

G. As the purpose of this Article is to conserve agricultural lands to the greatest extent practicable, the Planning Board shall not approve cluster subdivisions which set aside open space to be used as golf courses, playgrounds, tennis facilities or any other outdoor recreational facilities. In the review of applications for cluster subdivisions which preserve existing golf courses or any other outdoor recreational activity, the Planning Board shall observe the following guidelines:

- 66
- (i) The yield shall be ~~fifty percent (50%)~~ of the yield allowed in the applicable zoning use district.
 - (ii) Cluster subdivisions shall be limited to homeowner association or realty subdivisions. The Planning Board shall not entertain or approve condominium maps pursuant to Article XXIX of the Town of Riverhead Zoning Ordinance.
 - (iii) All residential units shall be restricted to owners of the age of 55 years or older.

- Underline represents addition(s)
- Overstrike represents deletion(s)

Dated: Riverhead, New York
April 17, 2007

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town Clerk

4-19-07
4/17/07

Adopted
04-19-07

Tabled

TOWN OF RIVERHEAD

Resolution # 374

ADOPTS A LOCAL LAW PROVIDING FOR RULES AND REGULATIONS FOR USE OF THE RUNWAY AT CALVERTON EXECUTIVE AIRPARK

COUNCILMAN DENSIESKI offered the following resolution, was seconded by
COUNCILWOMAN BLASS :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law providing for rules and regulations for use of the runway at Calverton Executive Airpark; and

WHEREAS, a public hearing was held on the 6th day of March, 2007 at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law providing for rules and regulations for use of the runway at Calverton Executive Airpark is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Office of the Supervisor; the Office of Community Development Agency; Police Chief David Hegermiller and the Office of the Town Attorney.

THE VOTE
Dunleavy yes ___ no Bartunek yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION ___ WAS WAS NOT
THEREFORE DULY ADOPTED

Adopted
04-19-07

Tabled

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law providing for rules and regulations for use of the runway at Calverton Executive Airpark at its regular meeting held on April 17, 2007. **Be it enacted by the** Town Board of the Town of Riverhead as follows:

*Rules and Regulations
Calverton Executive Airpark
FAA Airport Identifier - K3C8*

THESE RULES AND INSTRUCTIONS ARE NOT INTENDED TO PRE-EMPT THE RESPONSIBILITIES OF THE PILOT-IN-COMMAND FOR SAFE AIRCRAFT OPERATION NOR ARE THEY INTENDED TO CONFLICT WITH INSTRUCTIONS FROM AIR TRAFFIC CONTROL OR THOSE WHICH ARE THE EXCLUSIVE AUTHORITY OF THE FAA.

Pilots permitted to use the runway at Calverton will make every attempt to stay as far from the depicted noise sensitive areas as possible and abide by these simple rules. Your cooperation will ultimately create a more aviation friendly community and is greatly appreciated by your neighbors on the ground.

HOURS OF OPERATION – 7:00am to dusk. (Runway lights are not operational.)

RUNWAY DESIGNATION – Runway 14/32 is the operational runway at Calverton and is the only runway/landing zone approved for fixed wing operations at EPCAL. Helicopters may also use taxiways as required. (See attached diagram.)

RUNWAY 14 – is a LEFT traffic pattern heading SOUTH
RUNWAY 32 – is a LEFT traffic pattern heading NORTH

TRAFFIC PATTERN ALTITUDE – 1000 ft. AGL for piston/turbo prop and jet aircraft; 600 ft. for helicopters.

GROUND MAINTENANCE ENGINE RUNS – Permitted between 8:00 a.m. and 7:00 p.m. weekdays, 9:00 a.m. and 3:00 p.m. weekends, and prohibited on Sundays.

GROSS WEIGHT LIMITS – 100,000 lbs. maximum; (any deviation requires prior approval, additional fee may be required.)

USE OF REVERSE THRUST SHOULD BE KEPT TO A MINIMUM

PROHIBITED ACTIVITIES on the runway, taxiways, aircraft parking ramps, pads, fields, parking lots, or landing areas of any kind within EPCAL are as follows:

PRACTICE EMERGENCY PROCEDURES
TOUCH & GO'S,
MULTIPLE PRACTICE APPROACHES WITH A "GO-
AROUND"

PROCEDURE/NON-TOUCHDOWN
STOP AND GO'S OR ANY VARIATION THEREOF
RUNWAY INTERSECTION DEPARTURES
BACK TAXIING ON THE RUNWAY

ARRIVAL PROCEDURES

All aircraft arriving to runway 32 and 14 will use standard FAA recommended procedures for non-towered airports as outlined in current FAA regulations including but not limited to the FAR's (Federal Aviation Regulations) and the AIM (Airmen's Information Manual.)

1. Avoid noise sensitive areas. (See attached diagram.)
2. Fly as tight a pattern as practical to keep noise as close to the airpark as possible. Descend to the runway at low power settings and with as few power changes as possible.
3. If possible, do not adjust propeller control for flat pitch on the downwind leg but instead wait until short final. This practice not only provides a quieter approach but also reduces stress on the engine and the propeller governor.
4. Avoid low-level high-power approaches which not only create high noise impacts but also limit options in the event of an engine failure.

JET AIRCRAFT

DEPARTURE PROCEDURES

Operators are to avoid noise sensitive areas and to use best rate of climb practices to 2500 ft AGL before turning on course. (See attached diagram). Use aircraft specific or current_NBAA departure procedures which suggest:

1. Climb at maximum practicable rate at V_{2+20} KIAS to 500 ft MSL with takeoff flap setting. (Use best angle of climb (V_x) for smaller aircraft.)
2. At 500 ft MSL, reduce to a quiet climb power setting while maintaining 1000 FPM maximum climb rate and V_{2+20} KIAS until reaching 1000 ft MSL.
3. At 1000 ft MSL, accelerate to final segment speed (V_{fs}) and retract flaps. Maintain quiet climb power 1000 FPM climb rate and airspeed not to exceed 190 KIAS until reaching 3000 ft MSL.
4. At 3000 ft MSL and above, resume normal climb schedule with gradual application of climb power.
5. Observe all airspeed limitations and ATC instructions.

RW 14 –SE'erly Fly runway heading, climb straight out, do not turn on course until 1.5 miles past the end of the runway, south of the Long Island Expressway.

RW 32 – NW'erly Fly runway heading, north of the Airpark boundary (Route 25), remain east of the Calverton VOR on departure to avoid the Calverton National Cemetery and continue climb o 2500 ft MSL before turning on course.

***SINGLE AND MULTI ENGINE FIXED WING AIRCRAFT – VFR
DEPARTURE PROCEDURES***

1. Avoid noise sensitive areas. (See attached diagram).
2. On takeoff, use best angle of climb procedures.
3. If consistent with safety, make appropriate power reductions at 500 ft.

RW 14 – SE'erly Fly runway heading, climb straight out, do not turn on course until 1.5 miles past the end of the runway, (South of the Long Island Expressway).

RW 32 – NW'erly Fly runway heading North of the airpark boundary (Route 25), remain East of the Calverton VOR on departure to avoid the Calverton National Cemetery and continue climb to 1500 ft MSL before turning on course.

HELICOPTER DEPARTURE PROCEDURES – VFR
(See attached diagram)

Departing in a Southerly direction – Avoid flying over and near noise sensitive areas. Fly 180 Degrees if possible, climbing to 1000 ft as soon as practical –Turns on course east or west should be made south of the Long Island Expressway.

Departing in a Northerly direction – Avoid flying over and near noise sensitive areas. After attaining 1000 ft. turn on course.

Pilots approaching the Airpark from the South to Runway 32 are to remain 1.5 miles to the south of the approach end of the runway prior to turning to final. Stay clear of noise sensitive areas, (See attached diagram.)

Pilots approaching the Airpark from the North to Runway 14 are to remain 1.5 miles to the north of the approach end of the runway prior to turning to final. Stay clear of noise sensitive areas. (See attached diagram.)

AGL – Above Ground Level
AIM - Airman’s Informational Manual
ATC – Air Traffic Control
FAA - Federal Aviation Administration
FAR - Federal Aviation Regulations

Dated: Riverhead, New York
April 19, 2007

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town Clerk

TOWN OF RIVERHEAD

Adopted

Resolution # 391

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (§108-3, Definitions. and §108-64.6, Farm Stands)

Councilman Bartunek offered the following resolution, was seconded by Councilwoman Blass.

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the April 26, 2007 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Planning Department; the Planning Board; the Zoning Board of Appeals; the Building Department, the Town Attorney Investigation Unit and the Office of the Town Attorney.

THE VOTE

DUNLEAVY	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	BARTUNEK	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
BLASS	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	DENSIESKI	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
CARDINALE	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO					

THIS RESOLUTION WAS WAS NOT THEREFORE/DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 1st day of May, 2007 at 7:25 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

Chapter 108
Zoning
Article I
General Provisions

§108-3. Definitions; word usage.

B. For the purpose of this chapter, certain terms and words are herewith defined as follows:

FARM STAND – A building or structure greater than 100 square feet in area designed to house the direct marketing of locally produced agricultural products, enhanced agricultural products and handmade crafts. Roadside “pick-your own” operations and agri-tourism attractions are considered to be farm stands. The minimum lot area supporting a farm stand shall be 80,000 sq. ft. for any new farm stand constructed after the date of adoption of this local law.

AGRI-TOURISM ATTRACTION- those activities conducted upon agriculturally zoned land which predominantly use agricultural products, buildings or equipment, fields, etc. Such non-agriculturally related uses include: crop mazes, pumpkin rolling, barn dances, pony rides, sleigh rides and educational events such relating to farming or use of farm products.

Chapter 108
Zoning
Article XIII
Supplementary Use Regulations

§108-64.6. Farm Stands.

- A. No building permit or use permit shall be issued for a farm stand prior to the approval of a farm stand plan by resolution of the Town of Riverhead Town Planning Board.
- B. For farms stands with a floor area of 1,000 square feet or greater, a farm stand plan shall consist of the following:

- (1) A topographic survey of the premises at a (five) 5 foot contour showing all existing structures, buildings, hard surfaces, curbs, drainage structures, fences, landscaped areas and open area attractions.
 - (2) The location of all proposed structures, buildings, hard surfaces, curbs, drainage structures, fences, landscaped areas open area attractions.
 - (3) Off street parking stalls of either pervious or impervious surfaces, exclusive of driveways and turn-arounds, pursuant to the following schedule:
 - (a) The equivalent of one 10x20 ft. stall per 200 sq. ft. of retail sales area or display area with a minimum of two (2) stalls.
 - (b) For all outdoor agricultural attractions or “pick your own” growing areas and agri-tourism attractions up to (two) 2 acres there must be a minimum of ten 10 x 20 ft. parking stalls provided (or the equivalent of 20,000 sq. ft. of parking area). For outdoor agricultural attractions and “pick your own” growing areas in excess of two acres, there shall be four (4) additional 10x20 ft. parking stalls provided (or the equivalent of 800 sq. ft of parking area) for each additional acre. This requirement shall be prorated for properties of less than 3 acres in size.
 - (c) All parking areas at “pick your own” growing areas and agri-tourism attractions shall be constructed such that parking area is within an area having a minimum of a twenty (20) foot depth when measured from the property line adjacent to the road frontage.
 - (4) Defined ingress and egress for driveways serving parking areas designed to physically restrict and channel motor vehicle movements with a maximum of two (2) access driveways each being a minimum of forty (40) feet in width per lot improved with a farm stand.
 - (5) Proposed buildings conforming to the following yards:
 - (a) Front yard – (fifty) 50 feet
 - (b) Rear yard – (fifty) 50 feet
 - (c) Side yard – (fifty) 50 feet
- C. A farm stand plan for farm stands of 999 square feet or less of retail sales area shall consist of a scaled drawing at one (1) inch per 200 feet as well as B(2), (3) and (5) above.
- D. No seasonal signs advertising produce or attractions shall be located as to limit visibility or sight distance.
- E. All existing farm stands shall secure a farm stand permit within twelve (12) months of the effective date of this amendment. Farmstands that pre-exist the date of adoption of this local law shall be entitled to seek relief from the dimensional requirements set

forth herein by making application to the Zoning Board of Appeals. Such applications shall not be required to receive a denial from the Building Department prior to making application to the Zoning Board of Appeals. The Zoning Board of Appeals shall have original jurisdiction in these instances.