

53 DETERMINES SEOR CLASSIFICATION AND SIGNIFICANCE OF T.R.W.
REALTY CORPORATION

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

WHEREAS, the Riverhead Town Board is in receipt of a
petition for site plan approval for T.R.W. Realty Corporation with
attending Environmental Assessment Form and supporting documents, and

WHEREAS, examination of the above pursuant to Part 617
(SEOR) revealed the potential for significant impact as proposed, and

WHEREAS, in the opinion of the Planning Department; although
significant impact may occur as a result of the entire project, there
will not be a significant effect from the portion of the action known
as Phase I, and

WHEREAS, the applicant agreed, at the January 3, 1989, work
session of the Town Board, to pursue only Phase I of the project at
this time, and

WHEREAS, the applicant has presented site plans which
clearly delineate the Phase I and Phase II portions (by Howard W.
Young, dated January 4, 1989); now

THEREFORE, BE IT RESOLVED, that the action known as Phase I
of T.R.W. Realty Corporation is Unlisted pursuant to 6 NYCRR Part 617,
and

BE IT FURTHER RESOLVED, that the action known as Phase I of
T.R.W. Realty Corporation is not considered to have a significant
effect on the environment and a Draft Environmental Impact Statement
will not be necessary subject to: (1) The requirements of the
Architectural Review Board and all other Town requirements for site
plan approval shall be met, (2) County requirements, including those
for approving curb cut and for obtaining a possibly needed State
Pollutant Discharge Elimination System (SPDES) permit for a Private,
Commercial, Institutional (PCI) operation shall be met, and (3) That
this determination is valid for only that portion of the project shown
as Phase I on the survey by Howard W. Young, last revised January 4,
1989. Any future improvements including, but not limited to, the
Phase II Structures shall be the subject of a new site plan process
including a SEOR evaluation, and approved taking into consideration the
aforementioned conditions, and

BE IT FURTHER RESOLVED, that the Planning Department be
directed to file a Notice of Non-Significance pursuant to 6 NYCRR Part
617.10.

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

January 5, 1989

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Riverhead Planning Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact State will not be prepared.

Name of Action - T.R.W. Realty Corporation (Riverhead Auto Mall)

SEQR Status - Unlisted

Conditioned Negative Declaration: No

Description of Action: Applicant proposes to construct a 20,000 square foot auto retail and service building with attendant sanitary, parking, and drainage improvements to the site.

Location: Project is located on the north side of Old Country Road (County Route 58), approximately 630 feet east of Kroemer Avenue (Suffolk County Tax Map Number 0600-119-1-3, 4, 5)

Reasons Supporting This Document:

A review of the environmental assessment form accompanying this application as well as the Planning and SEQR report completed by the Riverhead Planning Department indicates that identified environmental impacts will not be significant. This determination is based upon the following:

The action as defined in 617.2(b) and 617.3(k) was considered by examination of the EAF and supporting documentation. Potentially large and significant impacts were discovered relating to Phase II of the project only. The project sponsor agreed to pursue only Phase I at this time and submit to further SEQR review for the objectionable portion (Phase II) later. All impacts of Phase I when compared to the criteria of 617.11 revealed no indications of significant impact.

For further information:

Contact Person: Joseph Hall, Environmental Planner
Town of Riverhead Planning Department
200 Howell Avenue
Riverhead, NY 11901
(516) 727-3200

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

The resolution was thereupon duly declared adopted.

54 APPROVES SITE PLAN OF T.R.W. REALTY CORP. (RIVERHEAD AUTO MALL)

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Boschetti:

WHEREAS, a site plan and elevations were submitted by T.R.W. Realty Corp. for for the construction of proposed Building No. 1 located at Old Country Road (C.R. 58), 630± feet from Kroemer Avenue, Riverhead, New York; and

WHEREAS, the Planning Department has reviewed the site plan dated July 18, 1988, most recently revised December 12, 1988, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, New York, 11901, and elevations dated October 24, 1988, as prepared by Michael T. Berthold, R.A., 76 Franklin Avenue, Sea Cliff, ew York, 11579, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by T.R.W. Realty Corp., for the for the construction of proposed Building No. 1, located at Old Country Road (C.R. 58), 630± feet from Kroemer Avenue, Riverhead, New York, site plan dated July 18, 1988, most recently revised December 12, 1988 and as amended in-house, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, New York, 11901, and elevations dated October 24, 1988, as amended in-house, as prepared by Michael T. Berthold, R.A., 76 Franklin Avenue, Sea Cliff, ew York, 11579, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

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

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with;

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

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

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

8. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, T.R.W. REALTY CORP. hereby authorizes the Town of Riverhead to enter premises at Old Country Road (C.R. 58), 630± feet from Kroemer Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

11. That the necessary approvals be obtained from the Suffolk County Department of Public Works and that the designation of improvements required by said Department be included on the site plan, as per the Department's letter of October 25, 1988, or subsequent agreement;

12. That the location of all proposed electrical services be included on the site plan;

13. That in light of the following:

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a. Section 46A of the Riverhead Town Code was adopted August 2, 1988; however, the members of the Architectural Review Board (ARB) were not appointed until November 17, 1988, and its first meeting was on December 1, 1988;

b. The site plan and elevations were dated July 18, 1988;

c. The Town Board finds that in the interest of justice and fairness, the applicant had proceeded substantially towards final approval and had contracts pending with the manufacturer of the pre-engineered building;

d. The ARB determined that, "Members feel very strongly that the material used on the front of the structure, where the applicant proposes Butler Stylewall (textured metal) could display a continuity of the qualities evident in the masonry, thereby reinforcing the positive attributes of the split-rib block and enhancing the dominant elevation." Although the ARB would have preferred the panelized stucco for various reasons discussed in its memorandum dated January 5, 1989, to the Planning Department, the proposed Butler Style Wall II would be acceptable;

e. The Town Board reaffirms Article I Section 46A of the Riverhead Town Code; therefore, pursuant to Section 46A of the Riverhead Town Code, the Town Board hereby modifies the recommendation of the ARB and approves the "Butler Style Wall II" as proposed by the applicant.

14. That a planting plan and schedule for the stabilization of the slope(s) created be submitted, which plan and schedule shall be subject to the further approval of this Town Board;

15. That any use of the Northwest section of the parcel for which no use is indicated on the above-referenced site plan and which is the subject of this resolution shall be subject to further site plan review and approval and that any use of this area for display, storage or repair of vehicles or any components thereof shall constitute a violation of this site plan approval and shall result in the revocation of the certificate(s) of occupancy;

16. That the accumulation of trash, debris and other refuse, including but not limited to wood cartons, old tires and related rubble and discarded automotive components, be removed from the site prior to the issuance of all certificates of occupancy;

17. That any further and/or subsequent construction on the subject property shall be subject to site plan review as if the same were submitted as a new application; and be it further

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RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to T.R.W. Realty Corp., the Riverhead Planning Department and the Riverhead Building Department.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of January, 1989, made by T.R.W. REALTY CORP., a domestic corporation with its principal place of business at 1 Pulaski Street, Riverhead, New York, 11901, Declarant.

W I T N E S S E T H:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with;

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

55 AMENDS RESOLUTION #17 AUTHORIZES ATTENDANCE OF
INVESTIGATOR FAGAN AND POLICE OFFICER HALEY TO ATTEND
SEMINAR

Councilperson Boschetti offered the following
resolution which was seconded by Councilperson Lombardi.

WHEREAS, Resolution #17 adopted January 3, 1989 did
authorize the attendance of Investigator Fagan at the University
of Delaware to attend the "Management of Drug Interdiction Unit"
seminar to be held in Wilmington, Delaware on January 11 & 12,
1989; and

WHEREAS, it was the intention of that Resolution to also
authorize the attendance of Police Officer Robert Haley to attend
said seminar.

NOW, THEREFORE, BE IT RESOLVED, that Resolution #17 of
January 3, 1989 be and is hereby amended to include authorization
for the attendance of Police Officer Haley to attend the
"Management of Drug Interdiction Unit" seminar to be held in
Wilmington, Delaware on January 11 & 12, 1989; and

BE IT FURTHER RESOLVED, that Investigator Fagan and Police
Officer Haley each receive advance monies in the amount of \$200
for related expenses, said expenses to be fully receipted upon
their return; and

BE IT FURTHER RESOLVED, that total expenses are not to
exceed \$850 each; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby
authorized to forward a copy of this resolution to Sergeant
Grattan, Investigator Fagan, Police Officer Haley and the Office
of Accounting.

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

The resolution was thereupon duly declared adopted.

56 APPOINTS SMITH, FINKELSTEIN, LUNDBERG, ISLER & YAKABOSKI
TO SEEK LEAVE TO APPEAL

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Lombardi:

RESOLVED, that the law firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski be and is hereby appointed as special counsel to seek leave to appeal the case of Hughes v. Town of Riverhead, et. al., in the Court of Appeals; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copies of this resolution to Smith, Finkelstein, Lundberg, Isler and Yakaboski and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

57 AWARDS BID FOR INSTALLATION OF DOUBLE-HEAD FLASHING SIGNAL

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for installation of a double-head flashing signal to be installed at the corner of Lincoln Street and Griffing Avenue; and

WHEREAS, bids were received and read aloud on the 3rd of January, 1989, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

WHEREAS, a total of two (2) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for installation of a double-head flashing signal to be installed at the corner of Lincoln Street and Griffing Avenue be and is hereby awarded to Commander Electric, Inc., 500 Johnson Avenue, P. O. Box 526, Bohemia, New York, 11716 in the amount of fifteen thousand two hundred (\$15,200.00) dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Commander Electric, Inc., 500 Johnson Avenue, P. O. Box 526, Bohemia, New York, 11716 and Highway Department.

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

The resolution was thereupon duly declared adopted.

58 ACCEPTS DRAFT ENVIRONMENTAL IMPACT STATEMENT OF CHESTERFIELD ENTERPRISES, LTD.

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, the Town Board of the Town of Riverhead has been designated "Lead Agency" with regard to the application of Chesterfield Enterprises, Ltd., to construct 130 two- and three-bedroom single-family dwellings (100% affordable) on premises located at Horton Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-81-3-22.1; and

WHEREAS, the said applicant has submitted a Draft Environmental Impact Statement (DEIS) for review by the Town Board of the Town of Riverhead and other various agencies; and

WHEREAS, a Notice of Completion has been prepared with regard to the DEIS.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead, as "Lead Agency" with respect to the above application, does hereby accept the DEIS submitted by Chesterfield Enterprises, Ltd.; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice of Completion of the DEIS.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

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DIRECTS ARCHITECTURAL REVIEW BOARD TO ESTABLISH GUIDELINES
FOR METAL PRE-ENGINEERED BUILDINGS

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Boschetti:

WHEREAS, on August 2, 1988, Resolution #499 was adopted by the Town Board of the Town of Riverhead, which resolution adopted Chapter 72 to the Riverhead Town Code creating an Architectural Review Board (ARB); and

WHEREAS, on November 17, 1988, Resolution #726 of the Town Board of the Town of Riverhead was adopted appointing five individuals to the ARB; and

WHEREAS, the ARB is empowered to consider various aspects of design.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board directs the Architectural Review Board, together with the Planning Department, to prepare suggested guidelines for metal pre-engineers buildings; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copies of this resolution to the Architectural Review Board and the Planning Department.

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

The resolution was thereupon duly declared adopted.

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60 REFERS RIVERHEAD TOWN FARMLAND PRESERVATION PROGRAM
LEGISLATION TO PLANNING BOARD

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

WHEREAS, pursuant to Riverhead Town Code and Section 264 of Town Law, the Town Board of the Town of Riverhead has proposed changes, amendments or supplements to the zoning ordinance; and

WHEREAS, the Town Board wishes to refer the Riverhead Town Farmland Preservation Program Legislation, dated September 26, 1988, together with Farm Bureau Comments dated August 15, 1988, and North Fork Environmental Council comments dated August, 1988; and

WHEREAS, pursuant to Section 30 of the Riverhead Town Code and Section 274 of Town Law, the Town Board of the Town of Riverhead must refer proposed changes to the Riverhead Planning Board.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby refers "The Riverhead Town Farmland Preservation Program Legislation", dated September 26, 1988, together with progress report dated August 16, 1988, Farm Bureau comments dated August 16, 1988, and North Fork Environmental Council dated August, 1988, to the Riverhead Planning Board for its comments; 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 vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#61 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD RE:
SEWAGE TREATMENT SUPERINTENDENT FOR THE TOWN OF RIVERHEAD.

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the following Help Wanted Ad with regard to the hiring of a Sewage Treatment Superintendent for the Town of Riverhead.

HELP WANTED

SEWAGE TREATMENT SUPERINTENDENT

The Town of Riverhead is seeking qualified individuals to operate the Town of Riverhead Sewer/Scavenger Waste Plant. Applicants must possess a Bachelor's Degree, Grade IIIB Sewage Treatment Plant Operator Certification, and at least five years experience in the operation of a sewer plant.

Salary commensurate with qualifications and experience.

Interested individuals should send resume to Office of the Supervisor, Riverhead Town Hall, 200 Howell Avenue, Riverhead New York, 11901. No resumes shall be accepted after January 31, 1989.

To be run: January 15, 17, 19 - New York Times
Combo rate \$520.

To be run: January 15, 16, 18 - Newsday
Combo rate \$488.67

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

The resolution was thereupon duly declared adopted.