

300 AUTHORIZES SUPERVISOR TO EXECUTE SENATE HOME RULE REQUEST
(SENATE BILL NO. 3208-A [A.4364-A])

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

WHEREAS, the Senate of the State of New York has introduced Senate Bill No. 3208-A (A.4364-A) entitled, "AN ACT establishing the Riverhead land preservation bank to preserve, acquire, hold and manage certain real property in the Town of Riverhead, County of Suffolk, and providing for the repeal of certain provisions upon expiration thereof"; and

WHEREAS, it is necessary that a Home Rule Request be signed with regard to this legislation.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute a Home Rule Request with regard to Senate Bill No. 3208-A (A.4364-A); and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Senator Kenneth P. LaValle and the Clerk of the New York State Senate.

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

The resolution was thereupon duly declared adopted.

4/25/88

301 AWARDS BID FOR 4-WHEEL DRIVE VEHICLE FOR USE BY THE BUILDING DEPARTMENT

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 purchase of a 4-Wheel Drive Vehicle for use by the Building Department; and

WHEREAS, bids were received and read aloud on the 28th day of March, 1988 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, only one (1) bid was received.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the purchase of a 4-wheel drive vehicle for use by the Building Department be and is hereby awarded to Herb Obser Motors, Inc., the only responsible bidder, in the amount of \$14,080; and

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to the Building Department, William Heard, and Herb Obser Motors, Inc.

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

The resolution was thereupon declared adopted.

4/25/88

302 URGES ALLOCATION OF FUNDS IN SUFFOLK COUNTY BUDGET FOR REPAIR, IMPROVEMENTS AND ADDITIONS TO RIVERHEAD COURTS

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

WHEREAS, in 1981, there was agreement concerning future courts in Riverhead, and

WHEREAS, there has been no allocation in the County Budget presently under consideration for said court projects.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Riverhead does urge the inclusion of allocation of funds for repair, improvements, and additions to the Suffolk County Courts located in Riverhead; and

BE IT FURTHER RESOLVED, that we do call upon County Executive Patrick Halpin and the members of the Suffolk County Legislature to keep good faith with the east end communities and restore funding for those promised court projects; and

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to the County Executive, the Presiding Officer of the Suffolk County Legislature, the Clerk of the Suffolk County Legislature and the individual members of the Suffolk County Legislature.

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

The resolution was thereupon declared adopted.

4/25/88

303 APPOINTS COMMUNITY DEVELOPMENT PROJECT SUPERVISOR

Councilperson Pike offered the following resolution which was seconded by Councilperson ~~Boschetti~~.

WHEREAS, the availability of the position of Community Development Project Supervisor was duly published and posted; and

WHEREAS, all qualified applicants were thereafter interviewed.

NOW, THEREFORE, BE IT RESOLVED, that Andrea Lohneiss be and is hereby appointed to the position of Community Development Project Supervisor at the annual rate of compensation of \$40,000 effective May 2, 1988; and

BE IT FURTHER RESOLVED, that the Supervisor be and is hereby authorized to execute a contract with Andrea Lohneiss in the position of Community Development Project Supervisor; and

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to Andrea Lohneiss and the Office of Accounting.

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

The resolution was thereupon duly declared adopted.

304 APPROVES REVISED SITE PLAN OF BAITING HOLLOW DEVELOPMENT CORP. (THE BLUFFS PHASE II)

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

WHEREAS, the Riverhead Town Board approved the site plan for Baiting Hollow Development Corp. Phase II (The Bluff/Phase II) on December 16, 1986 by Resolution #718, as drawn by Coco & Baldassano; and

WHEREAS, the Riverhead Town Board approved said site plan subject to certain covenants and restrictions; and

WHEREAS, the principals for the Bluffs Phase II have submitted to the Riverhead Planning Department materials and information required by the language of Resolution #718, including;

1. Detailed architectural elevations of all buildings, structures, streetlighting, stormwater containment, landscaping and topographic map;

2. The depiction of open space and areas to remain natural;

3. Evidence of the extension of the Riverhead Water District to the site at no expense to the District;

4. The preparation of a condominium map in a form as required by the Suffolk County Planning Department, which map depicts the location of buildings and open and natural areas.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead approves the site plan of the Bluffs at Baiting Hollow Condominium Phase II, as shown on the following diagrams and plans, which diagrams and plans have been initialed by a majority of the Town Board:

a. Site plan prepared by Burton, Hand, Behrendt & Smith, 244 East Main Street, Patchogue, New York, 11772, dated February, 1988, and dated in-house April 19, 1988;

b. Road profiles prepared by Burton, Hand, Behrendt & Smith, dated February 18, 1988, and dated in-house April 19, 1988;

c. Drainage design prepared by Burton, Hand, Behrendt & Smith, dated February 16, 1988;

d. Grading plan prepared by Coco & Baldassano, 200 Parkway Drive South, Hauppauge, New York, 11788, dated August 21, 1987;

e. Landscape plan (denoted as "planting plan") prepared by Coco & Baldassano dated February 23, 1988; and be it further

RESOLVED, as follows:

1. That the terms and conditions of Resolution #718 adopted December 16, 1986, remain in full force and effect unless superseded by this resolution;
2. That the above-referenced drawings be modified by this resolution to remove the building envelopes of the six (6) easternmost midrise buildings (as depicted in the leased area on the map of the Bluffs at Baiting Hollow Condominium Phase II dated November 13, 1987) and that 19 units be redistributed as villas with no modification of building envelopes;
3. That the applicant modify the map of the Bluffs at Baiting Hollow Condominiums Phase II in order that floor plans of all units be provided to the Planning Board; that a depiction of the limit of clearing and grubbing be incorporated onto said condominium map; and that the area seaward of this line be depicted as a scenic and conservation easement subject to filing of a covenant in a form approved by the Town Attorney and accepted by the Town Supervisor;
4. That no disturbance of land or vegetation occur seaward of the limit of clearing and grubbing as depicted on the condominium map and site plan of vegetation;
5. That any access to the beach be subject to a future site plan resolution of the Riverhead Town Board;
6. That no stormwater runoff resulting from development and/or improvements be discharged down the face of the bluff;
7. That the site plan approval be subject to the approval of the Suffolk County Department of Health Services;
8. That this site plan approval be subject to the provision of municipal water by the Riverhead Water District per design of H2M for Extension No. 26 and Water District Engineer approval of on-site water supply plan;
9. That the elevations prepared by Coco & Baldassano (dated in-house April 19, 1988) be modified to substitute natural siding material; i.e., Number 1 cedar for 3" HOR joint vinyl siding;

10. 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;

11. 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;

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

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

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

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

16. 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, High Orchard Corporation hereby authorizes the Town of Riverhead to enter premises at Fox Hill Drive, Baiting Hollow, New York, to enforce said handicapped parking regulations;

17. 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; and be it further

RESOLVED, that prior to issuance of any Certificates of Occupancy, the Town Engineer shall approve the status of the site improvements, including but not limited to drainage, parking and landscaped areas; and be it further

RESOLVED, that this resolution shall not become effective until such time as the Declaration and Covenants are duly recorded in the Office of the Clerk of the County of Suffolk and a copy as recorded filed with the Town Clerk of the Town of Riverhead; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to J. Stanton Pohl, Esq., attorney for applicant, the Riverhead Planning Department, the Riverhead Planning Board and the Riverhead Building Department.

RESOLVED, that prior to the issuance of any building permit a condominium map as approved by the Riverhead Town Planning Board shall be filed with the Suffolk County Clerk, and the proof of such filing with the Riverhead Town Clerk.

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

The resolution was thereupon duly declared adopted.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of April, 1988, made by High Orchard Corporation, with offices at 73 Jackson Avenue, Syosset, New York, 11791, 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 terms and conditions of Resolution #718 adopted December 16, 1986, remain in full force and effect unless superseded by this resolution;
2. That no disturbance of land or vegetation occur seaward of the limit of clearing and grubbing as depicted on the condominium map and site plan of vegetation;
3. That any access to the beach be subject to a future site plan resolution of the Riverhead Town Board;
4. That no stormwater runoff resulting from development and/or improvements be discharged down the face of the bluff;
5. 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;

6. 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;

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

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

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

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

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

12. 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;

13. 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.

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

HIGH ORCHARD CORPORATION

By: _____

4/25/88

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STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the _____ day of April, 1988, before me personally came _____ who is the _____ of High Orchard Corporation, to me known and known to be the individual who executed the foregoing instrument; that High Orchard Corporation is the owner of certain real property located at Fox Hill Drive, Baiting Hollow, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC