

TOWN OF RIVERHEAD

Resolution # 709

**APPROVES ADMINISTRATIVE SITE PLAN APPLICATION FOR
THE SUFFOLK THEATER (TEMPORARY GREENROOM), 118 EAST MAIN STREET
SCTM NO. 600-129-1-8.4**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, a site plan application has been submitted by Robert Castaldi on behalf of the Suffolk Theater, LLC (Suffolk Theater) to construct an 8 ft. stockade fence around an area behind the Suffolk Theater, maintain a ±840 sq. ft. “temporary trailer” in this area to be used as a green room for actors and performers and the erection of a ±192 sq. ft. shed; and

WHEREAS, the site plan application includes a site plan, prepared and stamped by Richard F. Stott, RA, last dated July 18, 2017, as well as a property survey showing the parcel, prepared and stamped by Joseph A. Ingegno, last dated October 19, 2006; and

WHEREAS, the proposed development is proposed on a 0.421 acre site located at 118 East Main Street identified as SCTM No. 600-129-1-8.4 in the Downtown Center-1 zoning use district; and

WHEREAS, the site is presently improved with a ±9,300 sq. ft. brick building being operated as a Performing Arts Center (Suffolk Theater), and a 192 sq. ft. shed located within a construction fence behind the building; and

WHEREAS, by Memo dated September 13, 2017 from the Chief Building Inspector and Chief Fire Marshal, a preliminary review of the application for final site plan approval resulted in the following findings:

A preliminary review of the above referenced application for Site Plan approval with renderings dated June 7, 2017 resulted in the following findings:

1. All plans and construction must conform to the International Building Code with New York State Supplements (IBC/NYS) and all agencies having jurisdiction.
2. Trailer should be located at least 10’ from the theater. Metal frame membrane structure must be open on at least 50% of the sides, or the adjacent walls of the trailer would have to be 2 hr fire rated.

3. Exit from theater must remain functional; walk to green room must not dead end to trailer.
4. Per the Riverhead Fire Department's correspondence dated July 11, 2017, 20' and 8' gates must be "full swing gates," preventing an open gate from becoming an obstacle for emergency personnel, equipment and general operations during an emergency.
5. Gates must remain unlocked while the theater is in operation, and panic hardware should be installed on gates to facilitate the required exit discharge.
6. Knox locks must be installed on the gates for Fire Service access.
7. Riverhead Water District approvals will be required for water service connection, if necessary.
8. Riverhead Sewer District approvals will be required for sanitary sewer connection, if necessary.
9. All approvals or permits from agencies having jurisdiction must be received by this Department prior to the issuance of a building permit; and

WHEREAS, pursuant to NYCRR Part 617(c)(7) of SEQRA, the proposed development is classified as a Type II action and no additional environmental reviewed is required; and

WHEREAS, the Town of Riverhead Planning Department, Town Engineer, Riverhead Water Authority, Riverhead Sewer District, Riverhead Fire Marshal and Town Attorney of the Town of Riverhead have reviewed all documents regarding said application; and

WHEREAS, the Town Board has carefully considered the merits of the administrative site plan application, the SEQRA record to date, public comments, reports from involved agencies, the reports from the Planning Department and other Town agencies, as well as all other relevant planning, zoning and environmental information.

NOW, THEREFORE, BE IT RESOLVED, that Town Board of the Town of Riverhead hereby approves the administrative site plan application for a temporary greenroom, storage shed and an eight (8) ft stockade fence known as Suffolk Theater application which includes a site plan, prepared and stamped by Richard F. Stott, RA, last dated July 18, 2017, as well as a property survey showing the parcel, prepared and stamped by Joseph A. Ingegno, last dated October 19, 2006; subject to the following conditions:

1. That no site work shall begin nor Building Permits be issued until all conditions of the Final Site Plan approval are fulfilled.
2. That a covenant, in a form reviewed and approved by the Town Attorney, containing all the limitations and provisions of these approvals contained in this resolution 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 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.
4. That the form, design, location, and color of any and all signage shall be submitted for the sign permit procedure prior to being installed at the property (the site plan approval does not indicate approval of signage); that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Article XLVIII of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as any restrictions imposed as a condition of the site plan approval granted herein.
5. That any outdoor lighting shall be installed pursuant to Article XLIX of the **Riverhead Town Code** and no lighting shall be adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways.
6. That the applicant is familiar with the **Riverhead Town Code**, Chapter 251, entitled, "Noise, Public Nuisances and Property Maintenance" and Chapter 245, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same.
7. That, unless otherwise modified, specified or approved by the appropriate agency, 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 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.
10. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, 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, Suffolk Theater, LLC hereby authorizes and consents to the Town of Riverhead to enter the premises to enforce said handicapped parking regulations.
11. That all new utilities shall be constructed underground.
12. The applicant must satisfy all requirements of the Building and Fire Code of New York State.
13. That the applicant shall be required to request, pay the applicable fees, and obtain all the necessary site inspections (including drainage improvements prior to backfill, grading and site improvements prior to the first lift of paving, and post-construction prior to the issuance of a certificate) as prescribed in Section 301-305 F of the **Code of the Town of Riverhead**.

14. That no importation or exportation of materials will take place until a permit for such is obtained from the Town Board pursuant to Chapter 229 of the **Code of the Town of Riverhead**.
15. That required parking stalls, traffic aisles, and "No Parking" areas shall not be occupied or blocked by any vehicles.
16. Deliveries and loading activities shall to the extent possible be restricted to the hours between 8 am and 5 pm on weekdays as required by code section 301-143A(c) of the **Code of the Town of Riverhead**.
17. The applicant shall allow the adjoining church to have access to the property within the fence for solid waste removal.
18. The applicant shall keep the fence well maintained, i.e.: removing graffiti, replacing broken panels or pickets, etc.
19. That no connections to the Town of Riverhead Water District for the new water service shall be made without the approval of the Town of Riverhead Water District Superintendent and until any applicable issues regarding the safety of the public water supply are addressed and all required Water District fees and charges are paid.
20. The applicant shall comply with the requirements by the Chief Building Inspector in his Memo dated September 13, 2017.
21. Fire Zones will be addressed during inspections of the building construction.
22. That no Building Permit shall be issued until the Riverhead Town Supervisor signs a mylar copy of the revised site plan(s), which is contingent upon the following:
 - A. That the mylar plans shall not exceed the standard D size drawing (24" x 36");
 - B. That the mylar shall list a new revision(s) date for the plans;
 - C. That the mylar of updated survey shall identify the current property owner;
 - D. That there shall be a Town Board Certification Box on each page of the site plan(s);
 - E. The revised site plan(s) shall reflect the accurate size of the temporary trailer;
 - F. Revised site plan(s) shall remove the 4 ft tall split rail fence;
 - G. Revised site plan(s) shall include a note saying "to be removed" for the triangle island and tree located within the proposed fenced area;
 - H. That six (6) sets of paper plans matching the revised mylar shall be submitted;
 - I. Receipt a digital copy of the revised final site plan matching the mylar in a common computer-aided design (CAD) file format, among them DGN, DXF, and DWG, and the digital CAD drawing shall be projected in the NAD 1983 State Plane New York Long island FIPS 3104 (feet) coordinate system;
 - J. That certification of clean title to the satisfaction of the Town Attorney is submitted.

23. That no temporary or permanent Certificates of Occupancy shall be issued until:

- A. The applicant submits six signed and sealed "As-Built" surveys to the Planning Department in accordance with Section 301-303 E of the **Code of the Town of Riverhead**.
- B. The fire lanes shall be installed and approved by the Riverhead Fire Marshal.
- C. A knock box shall be installed on all gates, to the approval by the Riverhead Fire Marshal.
- D. All fees apply to this project such as water hook up and installation, application fees, inspection fees, key money fees and backflow prevention device applications shall be paid; and be it further

RESOLVED, that pursuant to Section 301-303F of the **Code of the Town of Riverhead**, this final approval shall be valid for 36 months from the date of approval with the possibility of one 12-month extension by the Town Board, upon a request of the applicant in writing made at least 30 days prior to the expiration of the original thirty-six month period; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Robert Castaldi, Suffolk Theater, 118 East Main Street, Riverhead, NY 11901; Wolf Properties, 118 East Main Street, Riverhead, NY 11901, Richard F. Stott, RA, 13 Main Street, Southampton, NY 11968; Mergim Bazhdari, Esq, 1111 Marcus Avenue, Suite LL08, Lake Success, NY 11042; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted