Minutes of a Public Hearing held by the Town Board of the Town of Riverhead, held at the Town Hall, Howell Avenue, Riverhead, New York, on Tuesday, February 3, 1997, at 2:00 p.m.

Present:

James R. Stark,	Supervisor
Victor Prusinowski,	Councilman
James B. Lull,	Councilman
Mark A. Kwasna,	Councilman

Also Present:

Barbara Grattan,	Town Clerk

Absent:

Otto Wittmeier,	Councilman
Robert Kozakiewicz, Esq.,	Town Attorney

Supervisor Stark called the Public Hearing to order and the Pledge of Allegiance was recited by Tom Twomey.

Barbara Grattan: "I have affidavits of public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:00 p.m. on February 3, 1997, to hear all interested persons who wish to be heard regarding the consideration of a motion of the Town Board to amend the Zoning Ordinance to provide for a comprehensive program to support agricultural land use within the Agricultural A Zoning Use District and to amend the Zoning Use District Map."

Supervisor Stark: "I bring you greetings from Hawaii. I just spent two weeks with my daughter who lives there, as you can notice from my tan. Huh? Sure. They don't grow potatoes out there, though, Dan. I landed this morning at 6:00, so I'm a little slow, I've got a little jet lag. But I appreciate the attendance here today. I just simply would like to say that the Town Board about a year ago, recognized the potential build-out of our town to translate into a yearly population of about 65-- 70,000 people. And we thought that might be overpopulated.

We are cognizant of the fact that we must be protective of our

ural lifestyle and we are also cognizant-- especially myself after pending 35 years in the agricultural industry, that we have to rotect our agricultural heritage and also protect the property alues and the impact upon our schools.

So under my direction, I asked Chairperson Barbara Blass of the lanning Board and Richard Hanley, our Planning Director, to implement study of the feasibility and the impact of upzoning in our town.

And that's basically where we are right now. We have a document hat has studied that. This hearing here this afternoon is basically hearing to inspect that, criticize it, give some acknowledgment as o where it's possibly advantageous. It is a draft form. And there s no portion of this document that is written in stone as of right ow.

And with that what I would like to say that this-- probably fter the discussion this afternoon and this evening, we'll go back o committee and again work further with the Farm Bureau, the Ag dvisory Board Committee in any way, shape or form that we can further ome to a more definitive answer as to what we can do in this town to ossibly defect the overpopulation explosion that we've been ex- eriencing here for the last five to ten years. It is not only esidential, but commercial.

I, as the Supervisor, look forward to continuing to work very losely with our commercial businesses and also our Farm Bureau to see f we can come up with reasonable, intelligent and advantageous esults that would further this community to become more productive nd also protect the ever increasing costs that not only we experience n the Town of Riverhead, but every town.

Just to bring a little personal note to it, in my travels in the last 10 days, two weeks, on three different islands in Hawaii, sugar- cane is going out, pineapple business is going out and I well know that the potato industry right now is probably in the worse shape it's been in 10 years. So, keeping all of this in mind, I ask let us not get into an adversarial position today, but let's keep in mind that we would be working towards a productive answer to solving some of the problems of the Town of Riverhead. And I think if we keep that in mind, I think we will end up with something that is good for not only our agricultural industry, our commercial industry, and the

esidents of the Town of Riverhead.

So with that, I'm going to ask Rick Hanley to open the forum this ıfternoon with a slight dissertation as to where we started and how ıe've gotten to this point as of today and then we'll go from there ınd then immediately after that I'm going to call on-- where is Phil? 'hil, I'm going to ask you to make a presentation on behalf of the 'arm Bureau. Phil is the newly elected President. Rick."

Richard Hanley: "Richard Hanley, Planning Director. Thank you. ıs the Supervisor has stated, in January of 1996 the Riverhead Town ɔoard charged the Riverhead Planning Board and the Town Planning ɔepartment to analyze the potential development of approximately ıl,000 acres of active farmland existing within the town and to make ɜpecific recommendations to the Town Board upon those amendments to ɜhe Zoning Ordinance which would better manage the future development ɔf agricultural lands and would further support the continued success ɔf the agricultural industry.

In order to ensure a viable program, the Planning Board ɜstablished a task force with representatives from government, the agricultural industry, the land development industry, and the banking industry. This group of officials and citizens worked for a number of months on the issue and did transmit to the Planning Board a series of recommendations which included both amendments to the Zoning Ordinance as well as other governmental action necessary for the adoption of a comprehensive program for the vast land area being considered.

Today's hearing is designed to gain the views of all interested parties upon the proposed changes to the ordinance as well as upon the draft generic environmental impact statement which has been prepared and accepted by this Board in support of these amendments. The maps displayed in front of the room provide a graphic depiction of the proposed amendments and the handout provides an overview of the program itself and presents numerical information with regard to land areas affected, saturation population figures of the Town, and fiscal impacts of the development of land within the study area.

In summary, the program itself includes the following elements. First, an increase in the minimum lot area from 40,000 square feet to

),000 square feet within the Agricultural A Zoning Use District. The lustering of subdivisions would be employed in order to preserve aluable agricultural soils.

Second, an increase in the minimum lot area within the Residential Zoning Use District from 40,000 square feet to 80,000 square feet 1 order to create parody in the valuation of agricultural tracts and ɔ make for a more effective TDR program.

Third, increase in minimum lot area within the Residential C oning Use District from 20,000 square feet to 40,000 square feet as ertain areas presently zoned Residential C have been identified as ppropriate TDR receiving areas.

Fourth, an amendment to the Zoning Use District Map of the Town roviding for the Resort Development Zoning Use District to the xclusion of the Industrial A Zoning Use District on a tract located n Sound Avenue, Jamesport. That tract being the property 500 acres r so which is owned by Long Island Lighting Company.

Fifth, the expansion of the existing TDR program as adopted by his Board pursuant to the Jamesport Hamlet Study. The program would llow for inter-Hamlet transfer of development rights on a one credit er two acre yield in order to preserve prime agricultural soils and rovide an alternative to subdivision by owners of agricultural land. he expansion of the uses within the Ag A Zoning Use District to rovide for more liberal language with regard to the sale at retail f agricultural products. A recommendation that agricultural building e exempted from real property taxes beyond the existing 10 year xemption period into perpetuity. A recommendation that the Riverhead DA and IDA be employed to support the financing of agricultural ndustry and production within the Town.

And, lastly, the development and acceptance of a farmer's Bill f Rights designed to protect farm practices within established areas agricultural areas that is.

That is a summary of the program. As Jim said previously, this hearing is for both these amendments to the Ordinance as well as commentary upon a draft generic statement which this Town Board has adopted and this we will be accepting comments on both.

Jim, I think Mrs. Blass has a couple of statements to make ior to the beginning of the hearing. Thank you."

Supervisor Stark: "Okay. Before Barbara gets started, I would ike to quell what I believe was rumor. This meeting-- public hearing - was not called today specifically to come to some passage of esolution tomorrow night at the Town Board meeting. It was called ecause, as you can see, the audience is quite large. We knew it ould be a lengthy public hearing. It will go on again this evening. nd, I did not want to mix this particular public hearing in with our egulars who just arrived, with the normal Town Board business. And hat is the purpose of having this meeting today. This is going to beyond tomorrow night's quite a bit. So I just want to put that umor to rest. Barbara."

Barbara Blass: "Thank you, Mr. Supervisor. Councilmen, ladies nd gentlemen, for the record my name is Barbara Blass, and I'm ppearing today on behalf of your Riverhead Planning Board. I would ike to take a moment to publicly acknowledge the members of the ezoning Advisory Committee and thank them for their participation. e had representing the Calverton Hamlet, Peter Mastropolo (phonetic); epresenting Riverhead was Joe Ingegno. Wading River was John Halbrun phonetic). Aquebogue and Jamesport, Betty Brown. Representing the eal estate industry, Bruce Stuke. The Riverhead Central School istrict was represented by David Carlson. The banking industry, by tephanie Schooner (phonetic) of Bridgehampton National, and Lyle ells and Henry Talmadge served on behalf of the Farm Bureau. My olleague, Joe Baer (phonetic) from the Planning Board and Rick anley constituted the Rezoning Advisory Committee, and I think they ll need to be commended for their voluntary service.

I'm going to close this door because that noise is really-- "

Supervisor Stark: "No problem."

Barbara Blass: "Thank you. The Planning Board endorses the amendments to the Zoning-- "

Supervisor Stark: "Barbara, if you would just take that one to our left and kind of bend it over. Yes. That's it. Can everybody hear in the back?"

Barbara Blass: "Is that better?"

Supervisor Stark: "Thank you, Barbara."

Barbara Blass: "The Planning Board endorses the amendments to ıe Zoning Ordinance which are before you for consideration as well ; the other governmental activities necessary to both manage growth ıd enhance the viability of the agricultural industry. There are ıny reason for this; I'll be brief.

There are economic reasons. The farming industry is an integral art of our economy. According to a document prepared by the Suffolk ounty Planning Department, the farming industry in Suffolk County enerates 8,000 jobs and adds almost a quarter of a billion dollars ; the economy. On the local municipal level, every dollar an acre f farmland pays in property taxes, it only uses thirty cents in ervices. To put it another way, for every one acre homesite-- for very dollar a one acre homesite pays in property taxes, it uses one ollar and twenty-three cents in services. Clearly single family esidential development has negative fiscal impacts.

There are quality of life issues as well. Although we may never each a saturation population of 75,000 people, the thought is rather npleasant. I say so much for rural character at that point. We now that the expansion of the commercial tax base is necessary but e need to balance that commercial development by protecting our ural character in the outer hamlets.

In addition, any attempts at attaining tax stability by expanding he commercial tax base would clearly be negated by unchecked esidential development.

In closing, I commend you for revisiting this very difficult ıssue and urge you on behalf of the Planning Board to consider very arefully the amendments before you. Riverhead is the only east end own that has not rezoned to two acres. Our neighboring municipalities ıave already taken this step. I say it's never too late to do the ight thing. Thank you."

Supervisor Stark: "Thank you, Barbara. Phil."

Phil Schmitt: "Good afternoon, thank you. I'm Phil Schmitt."

Supervisor Stark: "You are going to read a statement?"

Phil Schmitt: "Yes."

Supervisor Stark: "When you get done, could you give it to ırbara?"

Phil Schmitt: "Certainly. I have extra copies."

Supervisor Stark: "Makes the transcribing much easier."

Phil Schmitt: "No problem. I'm Phill Schmitt, first and fore-ɔst a vegetable grower up on Roanoke Avenue, but I'm also President f the Long Island Farm Bureau for which I am here on behalf of today.

The Long Island Farm Bureau is pleased that the Riverhead Town ɔard has begun a program for the preservation of farmland in the own of Riverhead. Since the Farm Bureau shares this objective, the arm Bureau would like to take his opportunity to announce its reation of a Farmland Preservation Task Force to produce a fair and ar-reaching action plan for the preservation of farmland in the own of Riverhead.

The Farm Bureau is pleased to advise the Board that it has lready retained a panel of experts who have agreed to provide a omprehensive view of this critical issue. The former County xecutive, John V.N. Klein, has agreed to chair this important Ta k orce. Some of the Town Board members may recall that in 1973, when e was the Suffolk County Executive, Mr. Klein appointed a 14 member gricultural advisory committee to create a farmland preservation rogram for the County of Suffolk. This work resulted in the Suffolk ounty Purchase of Development Rights Program which has since served as a model for other areas in the country for preservation of farmland.

The Task Force will also include the engineering and land use consulting firm of Greeman Pedersen, which is recognized throughout the northeast for their expertise in the land planning and engineering field.

To provide information and analysis as to property values, the appraisal firm of Rogers & Taylor, one of the foremost real property appraisal firms on Long Island, has agreed to serve on this Task Force.

Additionally, Dr. Nelson Bills, an agricultural economist at ›rnell University in Ithaca, has agreed to provide his expertise in ıis field. Dr. Bills holds a Ph.D. in Agricultural Economics and ıs many published works in the urban influences on farmland use, ıstaining rural landscapes, and preservation of a viable agricultural :onomy in New York.

The Director of Suffolk County Planning Department, Stephen M. ›nes, has also agreed to serve on this Task Force. Mr. Jones was ne Project Director of the April, 1996, report entitled Agricultural nd Farmland Protection Plan which was approved by the Suffolk County lanning Commission and the County Legislature.

Today, the Farm Bureau calls upon the Town Board to keep the omment period for the GEIS and rezoning plan open for an additional 0 days so that the Farm Bureau Task Force can provide a comprehensive nvestigation into the most effective and fairest means of preserving armland and the agricultural industry within the Town of Riverhead. he Farm Bureau's Agricultural Action Plan will focus upon long term lanning for the preservation of agriculture and farmland and will nclude the following points:

1. Creation of a ten million dollar program for the Acquisition ıf Development Rights to Preserve Open Space and Farmland in the Town ıf Riverhead. This program will investigate and pursue state and 'ederal funding that is currently in place, but has not been available ın Riverhead (the Town with the most acreage in agricultural production ›n Long Island). Because the Town currently does not have a farmland ›rotection plan or law, the Town of Riverhead has already missed out ›n federal and state farmland preservation programs that are currently ın place.

For example, a June 7, 1996, letter from Congressman Forbes, Senator D'Amato, Senator Moynihan, and 15 other members of the House of Representatives requested the allocation of the 1996 Federal Farm Bills Section 388 funds for New York. In September, 1996, the U.S.D.A. Secretary announced the funding of the federal, state and local partnership plan to help existing state and local programs acquire conservation easements or other interests in land to protect productive lands. Funds from that program were approved for the County of Suffolk program, the Town of Southold program, and the Town of Southampton program. However, the federal program requires that the

armland be part of a pending local farmland protection program and, herefore, no money was allocated for the Town of Riverhead farmland wners because the Town has no program.

Second, the New York State Farmland Protection Program is a our million dollar program recently announced by State Senator aValle for which the Town has made no application. The State rogram allowed for Towns to apply for up to $500,000 in state funds o be matched by the municipality. However, January 3, 1997, was the tate funding application cut off date. While the Town has been ressing this upzoning plan, it failed to meet the dealine for btaining state funds for farmland acquisition.

Third, the New York State Environmental Protection Bond Act, assed by referendum last November, specifically provides for the use f Environmental Protection Bond Act money for the preservation of armland. The New York Commissioner of Agriculture & Markets, Donald avidson, stated on January 29th that $150 million is available from he Environmental Protection Bond Act for the preservation of farmland nd open space acquisitions. Clearly, these available funds are an dditional reason why the Town should take action to pursue cquisitions.

The Farm Bureau Task Force will develop a program that ould assist the Town in the creation of an effective farmland rotection plan that would pursue funding that is already available, uch as the U.S.D.A. grant and the New York State funds which will leverage local funds to allow for substantial acquisitions and ermanent farmland protection.

2. The Agricultural and Farmland Protection Task Force will also prepare a comprehensive study of the best, fairest and most far reaching means of preserving the critical mass of productive farmland necessary to sustain a viable agricultural industry in the Town of Riverhead. This study will look beyond the political veneer of an upzoning, such as has been proposed here today, as a solution to the complex issue that impacts the lives of all Riverhead area residents. This study will investigate the pressure toward development that blanket upzoning has created in other east end towns and look into more modern methods of preserving farmland, which have proven effective in other communities. In addition to the critical development rights acquisition program mentioned above, the study will

nvestigate the use of easements, installment sales, and zoning ethods, such as transfer of development right plans. There currently xists in the Riverhead Code a TDR program, however, the Town has not nplemented this program to help preserve the farmlands. The Action lan will develop a program for the creation of a TDR bank like that reated for Pine Barrens credits to make the TDR program effective nd workable.

The Action Plan will develop a viable Farmstand Law to allow armers to better market their locally grown produce. Further, the ction Plan will develop concepts for the use of Industrial Development rograms for the encouragement of the growth of new crops and ransition from traditional forms of agriculture.

As this Board is well aware, agriculture is a significant conomic contributor in Suffolk County. Over $150 million in sales f agricultural products are transacted each year, making Suffolk ounty the leading agricultural county in New York State and among he top ten in the United States. Riverhead has more acreage than ny other town in Suffolk County in agricultural production.

The Farm Bureau and the Town Board share the same objective, and hat is that agricultural industry is crucial to Riverhead's economic ellbeing and to Riverhead's future. Saving farmland and maintaining viable agricultural industry makes economic sense for Suffolk ounty and for the Town of Riverhead. The Farm Bureau is pleased that he Town has begun to work on the preservation of farmland, but a asty upzoning could do more damage in the long term to the Town's conomy than a careful consideration of all of the issues that must e considered if the Town is, in fact, concerned about the preservation of farmland.

I do have copies. Thank you."

Supervisor Stark: "Okay. Give Barbara one. We do it on a recording machine. We're not as sophisticated as-- thanks, Phil.

We have made application for that additional $500,000 of left over money and will continue. One of our problems, Phil, at the time was we did not have a bond issue in place and it took us time to implement that. Now we have it. We are going to play a little catch up. But we are going to catch up, I can assure you of that.

Lyle?"

Lyle Wells: "Good afternoon. I'm Lyle Wells. As Phil is also, 'm a vegetable grower from the Aquebogue area. My comments today ill be comments on the GEIS. I serve as a Chairman of the Riverhead ocal Affairs Committee of the Long Island Farm Bureau and well as ome other positions here with the town. We will go through this ategorically to some extent.

Number one. The Town Board has improperly restricted access to he GEIS thus prohibiting public participation.

Since the Town has restricted public access of the Generic nvironmental Impact Statement for which this public hearing is urportedly scheduled, the Farm Bureau's ability to have all of its embers concerned review the document has been severely curtailed. or this reason alone, the Farm Bureau would urge the Town Board to eep the record open for at least ninety days so that an adequate eview of the G.E.I.S. may be conducted and more in depth comments nd suggestions may be brought to the Town Board's attention.

Number two. The Town has mischaracterized the GEIS study.

First and foremost, on page one of the GEIS, the Farm Bureau bjects to the description of the proposed action. The proposed ction is a massive upzoning of more than 13,000 acres of vacant land ithin the Town of Riverhead. Since the GEIS ignores important ways f preserving farmland, like the purchase of development rights and ransfer of development rights, and the fact that the town does not ave a farmland acquisition program such that it could qualify for tate and federal funds, it is inappropriate for the proposed action o be entitled "the preservation of farmland in the Town of Riverhead".

Number three. The GEIS provides little or inaccurate analysis f the issues presented by the upzoning.

A quick reading of the GEIS document indicates that much of the content of the document is boilerplate descriptions of the Town of Riverhead that we have seen in various other studies. The section on "significant environmental impacts" contains the only new analysis and is purportedly the basis for the massive upzoning.

In a single, short paragraph to exemplify this, the GEIS analyzes ıd concludes that the proposed upzoning will not only provide a ɔlution for all the school district tax issues, but will also reduce :affic. No time frames nor any real detail is provided for any of ıis analysis.

Number two. No analysis of the development trends within the ɔwn are mentioned in the GEIS, that is, there is no study of the ımber of building permits issued or the number of subdivision ɔplications filed or any other indices of growth or development. The ɔwn Board and Planning Board are well aware that there has not been n influx of subdivision plans or of large numbers of building permit pplications. The development trends for the Town and the actual use nd planned use must be analyzed to understand the need for the rastic actions proposed by the town.

A several page analysis of the impact of a TDR program is entioned. However, there exists in the Town a TDR program today hat has not been implemented by the Town and is already available o be put to the use proposed in the GEIS. There is no mention of a DR Bank or other menas to make TDR effective.

The effort to deal with school tax questions is entirely ısplaced. A blanket upzoning of the Town has not been demonstrated o be a means of addressing issues at the Riverhead Central School ıistrict. A large portion of the school population are residents of he Town of Southampton over which this Town Board has no control.

In fact, the entire concept of upzoning, although well intentioned, ıs a misguided attempt to preserve farmland. In its June, 1996 :eport, the Suffolk County Planning Department issued its Agricultural 'armland Protection Plan. That report pointed out, at page 31, "that increasing minimum building lot sizes has led to greater conversion ɔf farmland acreage per residential unit. This concern has been xpressed in a study that found large lot zoning let not to more conservation of farmland but, to the creation of mini estates which were ɔversized lots for housing, yet too small to be effectively farmed."

In fact, the entire population analysis is curious, and even given the most superficial review, it contains a highly questionable analysis. For example, Table 7 in the GEIS discusses the potential number of persons in the Town if current zoning were built out to the

ximum.

Additionally, accordingly to the U.S. census and Lilco figures, e Town of Riverhead's population has grown very little in the past years. There has been roughly a 10% growth in the past 16 years. is is a growth of approximately six-tenths of one percent per year. that rate of growth, it will take approximately 300 years for iverhead to reach the potential growth numbers set forth in Table 7. a result, the Farm Bureau sees no reason why the Town needs to ish through this process and cannot take another three months to ive a proper analysis of this issue.

The GEIS goes on to discuss the economic impacts of this plan. brief, incomprehensible three page analysis concludes that no ignificant effect of upzoning farmland could be found in Southampton. irst of all, this analysis is based upon an entire different set of evelopment pressures and an entirely different economic climate. here is no analysis of the tremendous growth in the value of roperty in the Town of Southampton, the population growth in outhampton, and in the number of new lots created. The entire outhampton analysis is based upon sales which all occurred 10 to 15 ears ago. In addition, the entire analysis is based upon false ssumptions since the price of real property on the east end, under ny circumstances-- either bulk farmland or otherwise-- can hardly e compared to the consumer price index.

There are so many other factors which affect the value of real roperty that this analysis provides no insight into the problems aced by farmers in Riverhead who rely upon the value of their land or collateral to sustain an agricultural cashflow.

It is most telling that, although the document is entitled Draft Generic Environmental Impact Statement for the Preservation of Farmland in the Town of Riverhead," the GEIS devotes exactly one page to the purchase of development rights issue. While there are state and federal funds that could provide permanent preservation of farmland, the Town has failed to apply for them.

Riverhead Town has been planning by crisis rather than conducting a comprehensive master plan update. The Town's last update of the master plan was in 1973. Many of the development proposals over the last 24 years has been by "overlay districts" which, essentially, is

pot-zoning and allowing density yields that are four units to the cre of greater. It is unconscionable for the Town to propose two cre zoning on the backs of farmers while allowing developers a indfall by down zoning high density yields. These practices are ontrary to the stated goals of the GEIS document.

Clearly, the GEIS has provided nothing but a cursory justification or this hasty effort to upzone the entire Town. Again, the Farm ureau would urge the Town Board to take a step to investigate this ssue in a careful and more considered effort.

Thank you."

Supervisor Stark: "Thank you, Lyle. Just a point of interest nd I'm sure that many of the members of the agricultural industry now Shirley Smith Simon who was a very active part of the Farm ureau for years, her mother passed away sometime last night, I elieve. I know Shirley and John are out in Hawaii, too, so they ill be coming home-- the arrangements I don't know yet, but I know hirley worked continuously hard for many, many years. Is there anyody else who would like to make comment at this particular time? eorge, I'm going to save you for the finale. These people really an't-- they can't take you so early in the day. Yes, sir. Ma'am. hy don't you start wandering up. We'll get a smooth transition oing here."

Walter Binger: "Good afternoon. My name is Walter Binger. I live on Main Road in Aquebogue. I own a small vegetable farm, although I do not consider myself a farmer. I originally purchased the land in 1981-- '82 from my father-in-law who had purchased-- who had farmed the land for approximately 30 years. My intent at the time being that it was a valuable piece of land, it was one acre residential zoned. It included some business property and possibly at a future date, I could farm it as a semi-retirement basis.

I do not farm it anymore because I lost money for a number of years. I lost money for a number of years not being that I did not know how to farm it. I'm just going to take a slight example of what agricultural marketing-- (inaudible) of what the state agricultural brings into the state economy. Let's break it down to a crate of cabbage. I grew cabbage for three or four years. I received a blue ribbon at the Riverhead County Fair for three or four years every

:ear I grew cabbage. Cabbage sells for the approximate price of :3.50 a crate. That means that $3.50 has gone into the state economy :gribusiness from my crate of cabbage. The crate that that cabbage .s delivered in costs about $1.50. The shipping of that crate of :abbage costs about $.75. The handling charge in the market of New :ork costs about $.25. The commission, I guess at $.35. I haven't :old anything in quite a while. That gives me an approximate :eduction of $2.85 from that crate of cabbage that has never seen :he farm. Of that $.65 left from that crate of cabbage, you have to :ay for fertilizer, tractors, equipment, gasoline, taxes, of course, :rrigation, wages. I don't know what that leaves, maybe $.10 a head, :.05 a head that actually comes back to the farm. That is my profit. :ot $3.50, the selling price of that crate of cabbage.

My lots were basically as I said residential. I purchased them. I gambled a lot of money. I guess I'm ahead. I brought it prior to the building boom of the '80's which brought the prices high. But the prices have dropped.

I've spoken to a Town Board member on occasion about the price of property. He seems to feel that the price of a two acre lot will sell for the approximate price of a one acre lot. Based on numbers I remember from reading the News Review, a half acre lot in Aquebogue sells for approximately $40,000. A one acre lot sells for $55,000 to $80-- to $65,000. A one and a half acre lot may sell for $65,000. If a half acre lot costs $40,000 retail, then a one and a half acre lot under that guise would cost $120,000. It does not. The value of the land does not maintain when you half the zoning.

I mentioned that I currently do not rent my farm. I do not farm my farm. I rent my farm. A true farmer now rents it for approximately 20% the cost of my taxes on that farm. That is the going rate. I'm not giving it to him. That's all you can get.

A number of years ago, we went through the upzoning. I thought this had long died. I guess we resurrected it from the ashes. A number of years ago when you first proposed as a Town Board, not the seated Town Board at the present time but the prior Town Board, to offzone to five acre or two acre zoning, a lot of farmers were forced to subdivide. They went to subdivisions; they put their land at one acre, therefore, they retained ownership of one acre lots. At that time in effect was long term capital gains. You could 40/60, divide

he money and make some bucks on that. That is no longer in existence. t that time the people that upzoned put these $3,000 to $4,000 lots n the books. Nobody is buying them. They're not full. They're not aiting in line to buy lots in Riverhead. In fact, the recent survey s already wrong in the first year, for I believe the paper said 200 tudents to the town of Riverhead that they overestimated.

Somebody has mentioned mini-estates. A Town Board member resently seated told me once, I have a mini-estate. I did not buy mini-estate. I bought a farm from my father-in-law. I got a ecent price. I bought it in the early '80's. It wasn't worth the ind of money it is today but I could afford what I paid for it then. cannot afford to purchase my land based on the current values. But do own it; I do pay taxes on it based on the current values.

I have another job. I stay at the job to pay for the farm. The arm does not pay for itself. You will have to excuse me; I did not repare a speech. I've been writing down-- jotting down notes. I'm rying to get it all in.

I presently believe that if the Town Board cuts the acreage, the total acreage in the Town of Riverhead, the development rights or the yield in half, which is basically what you're doing, you've devalued the land in half. Again, the percents do not equal out 100%.

I've read this and I don't know how the arithmetic works, I believe there's 9,000 acres in the sending zone. If that were two acre zoned, that would give us approximately 4500 acres of yield in the sending zone. The receiving area is 5,000 acres, but since that would be cut in half, you would have 25,000 lots available in the receiving zone. I have a surplus of 2,000 lots in the sending zone. Now I understand that we have industrial property allowed in here and the yield of the again excuse me for-- the transfer of rights of the gallons of sanitary flow, we have a yield to that, to the industrial zone since industrial property in the Town of Riverhead is not selling, therefore, I don't think there is anybody going to be buying my sanitary yield. The numbers don't quite work out again. The Town of Riverhead has a hamlet, shall be considered a residential development receiving area. The receiving area shall have a maximum yield after transfer of one dwelling unit per 20,000 square feet. Therefore, I assume you would have 40,000 square feet to be able to buy the yield, to be able to put it within the Riverhead hamlet.

How many one acre lots are now available in Riverhead hamlet. I lon't believe there any many. I think the numbers don't add up. I lon't think all of this special problems-- I don't think there exists i problem at the present time. There may exist a problem in the :uture. Possibly the Town Board could see fit to buy half my land, :eep that land out of circulation. If they want to rezone my land to ipproximately half the yield, I don't find that as compensation.

I believe I've said all I want to say, certainly Lyle has done i more diligent job than myself. I did not expect to come up here. I did not expect to speak on all of this and I apologize for my lisorganization. Thank you."

Supervisor Stark: "No problem. From all the years I spent in :he agricultural business, I still don't think you can grow cabbage for $3.50 a crate. And I think Phil can affirm that."

Walter Binger: "Can I add something to that even though I'm not at the mike?"

Supervisor Stark: "I've got to have you-- because we've got reporters."

Walter Binger: "-- to cabbage. The better cabbage you send to market in New York, the lower price you are going to be. The buyers purchase according to their-- if they buy from the same seller, the seller gives them a reduced rate. The better cabbage you sell, sells for lesser price."

Supervisor Stark: "Okay. I spent a lot of years selling cabbage. Trying to give it away sometimes. Billy? Oh, I'm sorry, Bill, I'm sorry. Yes. Ladies first. I'm sorry. Mr. Lull reminded me."

Carol Brush: "My name is Carol Brush. I live in Riverhead and work in Riverhead. I'm very concerned with what I feel is-- "

Supervisor Stark: "Carol, if you would just bring that mike a little bit so everybody can hear you in the back."

Carol Brush: "Can you hear me?"

Supervisor Stark: "The one on your left."

Carol Brush: "Can you hear me now? Okay. I'm very concerned with what I hear today regarding the upzoning. I work in Riverhead; I live in Riverhead. I'm concerned being selfish maybe because I own property in Riverhead. But I'm more concerned with things sometimes being rammed down your throat that you don't like it. Everyone here is telling me you have this concern for farmers. I really don't see it. The concern for farmers should be there because they have kept the open space for years. They have worked on their backs, they have worked so hard to keep-- to makea living. I look at this as slicing their income away from them, taking whatever drive they have to keep something that they may want to hand down to their children and grandchildren, and taking it away because we're so concerned with overpopulation. Where is the overpopulation? I don't know.

I drive around Riverhead, I see for sale signs. My husband, as everyone knows, is the owner of Fanning & Brush. A few years ago, we had U-Haul knock on our door and they wanted U-Haul vans for my husband to rent. And my husband said, well, we already have a U-Haul facility in Riverhead. We don't need another one. He said to my husband, we don't have enough. People are leaving Long Island. They're leaving in droves, we want another station. So we happen to have that now.

Why are they leaving? Obviously the taxes, the this, the that. What I've heard-- your arguments for, you are concerned with your taxes because of your school. My argument would be look into every resident of Southampton Town, those children who are attending Riverhead schools, send them back to Southampton Town. Keep Riverhead for Riverhead. Riverhead residents are paying big bucks, they want their school, they want their Town back. This is all economics. By making farmer or any vacant land upzoning it to two acres because of this overcrowding is ridiculous. We have no overcrowding in Riverhead. Route 58 is overcrowded. It's hard to get there in the summer because we have a lot of stores, we have this, we have that. That's a two lane little highway. We do have some problems. But this is so ridiculous for two acre zoning. Who is it going to help? Nobody can afford to develop their farmland. Let's say I who happen to have property up for sale, I want to put a little residential zoning in. Do you know how much it costs me to get the architect to put in roads, sewerage, curbing and then hope somebody is going to come along

and buy a lot? I mean it doesn't happen in today's world. This may happen 100 years from now. It may happen that we have to do this. But I think we're totally out of line doing it now and my one other question is if-- I didn't mean to give a big speech here-- but if this has to come up, can the people of Riverhead vote on it? Can the taxpayers vote on it? Or it is just something that just the Town Board decides to do? Do we have a public referendum where people vote on it? Because you are elected people; you have to be responsive to the residents. If the majority of residents feel that we're being overcrowded in Riverhead and they vote for this, then that-- you know, I would say the majority rules. But I think some more thought should be put into this."

Supervisor Stark: "This is the process we are going through, Carol."

Carol Brush: "Thank you."

Supervisor Stark: "Believe me, there is no-- again, as I said, there is nothing permanent in stone, this is a process and we are going to get to an ultimate answer some day. Yes, Bill."

Bill Talmage: "Hi. Bill Talmage from Baiting Hollow. I'm a farmer and in the real estate business, so I can hate myself. Some things just come around again. They are bringing Stars Wars back and upzone wars come back."

Councilman Prusinowski: "This is in stereo now."

Bill Talmage: "Yes. This is in stereo, too? Back in 1988, we were told that, you know there was a big boom going on back then in real estate, we were told that we had to upzone the town, the population was about 22,000 and it's going to develop out over night. And we had to do this. At that time though we did have a task force that met for two years and there was a large percentage of farmers on that Task Force, unlike the committee that you have now. And at the end of two years, it was decided to leave the thing alone and here it is almost 10 years later, and guess what, the population is just about 24,000. Really, the change is not much."

Supervisor Stark: "No, no, no. That is inaccurate, Bill."

Bill Talmage: "What is it now?"

Supervisor Stark: "Well over 24,000."

Bill Talmage: "24,000. Okay. Really developed. Okay. We've got to get this right. I'm speaking approximately now, but this is, in fact, we were told this upzone would limit the saturation population of Riverhead town to about 65,000 people. Smithtown, which I believe is just about exactly the same number of square miles as Riverhead, what is the population there? About 200,000? 140?"

Supervisor Stark: "About 150,000."

Bill Talmage: "A lot more than 65,000. Just give you an idea of what 65,000 looks like. If we did this upzoning, I understand we would knock the population down to about 45,000, something like that. So until we hit 45,000, this has absolutely no benefit. That's the point. We're at 22 now, I agree-- and maybe 30, maybe 40, maybe 50 years, maybe 100 years before we actually get. So we do this to all these people and we get no benefit for maybe 100 years.

The other thing is, I don't know of any major new subdivisions that are being started in Riverhead. Guys were coming out here buying two, 300 acres, 100 acres, coming in with a one acre subdivision. We have lots of subdivided lots laying around. A lot of guys who wish they never did it, a lot of guys trying to unload lots, but we don't see guys coming up starting new subdivisions. It may be the answer to the question nobody asked.

There are other ways of doing it; if we insist on limiting the school population, and I agree that the potato field houses do use more services than they pay in taxes. The school district could bond to buy development rights into the future. For the cost of what it would cost to educate one kid for one year, you can just about buy a development right from a piece of property and keep any kids from ever coming from there."

Councilman Prusinowski: "The taxpayers of Southampton pay their fair share."

Bill Talmage: "Yes, make them pay their fair share, but you could bond it out and it's a lot cheaper to bond for that than to

ond for new schools. And if we have 30, 40 years to work on this, e could look at that. We don't have to hurt all these farmers.

So this whole thing may be unnecessary. It's very injurious to armers. We already went through all that last time about what it oes to their ability to borrow money. I don't think this is hought out even as well as last time. Even last time we were orking off Rob Pike's thesis from college but at least there was ome work done to it. We didn't upzone north of Sound Avenue for xample. North of Sound Avenue was our gold coast. That's where we re going to get development that won't put kids in our schools. We on't want to discourage development there. Even last time we cknowledged that as part of the Task Force.

But the most important thing here is that this thing is really mmoral. You guys have the political power to do this to the farmers. here's not enough farmers in this town to make a difference olitically. I'm being told this is a done deal. I'm also being old that there's polls to show that 80% of the people in Riverhead re in favor of doing this to the farmers. Well, we probably could ind polls that would say that 80% of the people in the town would ant the town pension fund cut in half and half of that money go owards school tax reduction as well.

Just because-- and that's why we don't govern with polls because t's not right. The farmers-- if they're put in the position of aving to justify that buying these development rights is better than tealing them, I mean it's always cheaper to steal something than buy t. Everytime. Their only hope. If this is really coming down to political thing, their only hope is that, you know, family values nd you guys were at some point taught right from wrong. That's the nly hope that they will have. But I believe that this is all about othing.

The other thing is Grumman. Ten years from now, if we do our ob right, Grumman will be a tremendous tax base generator. This ould be a very rich town 10 years from now and we may not have the roblem of school taxes that we currently face. But meanwhile these uys are out of business and they're gone. We have this to look at nd it's much more complex and rushing this thing through is not a ood thing. Thanks."

Supervisor Stark: "Thanks, Bill."

Ann Lowlrey: "Supervisor Stark and members of the Town Board. My name is Ann Lowlrey. I'm President of the North Fork Environmental Council. Before I read what I had written here, I want to say that I second the motion about extending the period of time of comment for the DEIS-- for the EIS-- it has been difficult to get, and I would like to request that also.

I would like to say also that the first thing that I say is that the North Fork Environmental Council wishes to applaud this initiative of the town in the upzoning for your agricultural and residential zones. And realizing that this is simply a step. You spoke of a process, Supervisor Stark, a minute ago. A step in the process. It has also been very good to hear what Lyle Wells and Phil Schmitt has said about the formation of an agricultural preservation committee. That sounds like as though it might be the most promising step that has been taken in real preservation of farmland. Obviously two acre zoning does not preserve farmland.

We understand that this initiative that you are proposing was prompted by the increasingly favorable economic conditions in the country and the realization that Riverhead could be faced rather soon with a population explosion and, therefore, a tax explosion. And we all understand that increased population requires increased services and, therefore, increased taxes.

The present proposal does seem to address many concerns that the farmers have and it does seem as though while commercial and industrial development does not require the services that residential development does, it is more expensive than farmland and open space. And if large corporations were to settle in, there would be an inevitable population following for jobs.

We hope that very careful consideration will be given to the numerous applications presently before the Town Board and the Planning Boards. The-- it's obvious that you can't just talk about two zones in the town, doing something very dramatic like upzoning and not consider the whole town.

The TDR program can be a very useful way of preserving special lands and developing designated areas. We are concerned, however,

bout the recommendation in this proposal to use lands north of Sound venue as a receiving area. First, Sound Avenue has designation as n historic road and second an important historic site, Hallockville, s located on Sound Avenue, and third, the addition of residences nd condominiums to an already stressed road with heavy speeding raffic seems inefficient not to say dangerous. Will you give more hought to other possible receiving areas?

Overall we congratulate you and your committee on your efforts n behalf of the Town of Riverhead. Thank you."

Supervisor Stark: "Thank you. Is there anybody else who would ike to make comment at this particular time? I saw a hand. Lean p against that thing, Bill, the door opens up."

Pat Wyles: "My name is Pat Wyles. I represent the Farm Credit ffice here in Long Island, Riverhead. We've been in Riverhead for ver 50 years. Our primary function is to loan money to people in g businesses throughout Long Island, with the primary area being iverhead. We have quite substantial loan volume in agriculture with large number of borrowers.

Two of the five variables we look at when somebody comes in to orrow money, that are most important to us, are what the borrower's et worth is and what the collateral they may be offerered to us. I hink when we talk about upzoning, it's going to have a very dramatic ffect on those two variables. Based on our preliminary analysis lready, we feel that if land was upzoned from one acre to two acre, t would reduce variables as much as 50% per acre. This, in turn, ould wipe off quite a bit of net worth off of borrower's financial tatement and in turn would make us in many cases unsecured or un- illing or unable to do things that are necessary to continue to arm in this surburban area. So by diluting the security value, educing the borrower's net worth, I think this will force us to re- hink how we lend our borrowers, what we can do to stay with them in imes that a bad crop year, bad prices which we all know happens in griculture. And we may not be able to renew loans when we have done or a lot of years because now the borrower is not in the same inancial state that he was a year ago.

This, in turn, would force more people out of farming because here would be less credit available and he would be forced to sell

land because they would be out of money and they would be forced to sell their land into a bad market just to pay back the bank or pay back other creditors that are there. It's a very complex issue and again we applaud you for trying to do something to protect farmland but we feel that what you are doing here would have the exact opposite effect you intend and we would like to voice our opposition to this proposed plan. I have a letter for you."

Supervisor Stark: "I appreciate it."

Letter requested by the First Pioneer Farm Credit to be put in permanent record.

Dear Members:

The proposed change of zoning from one to two acres in Riverhead is of great concern to our organization as we have determined that a diminution of farmland values may result. Our comparable sales data, collected within the Town of Riverhead shows a direct relationship between zoning density and value. We have found that the vacant land within Residence C Zone which allows 20,000 sf minimum building lots sells for significantly more than vacant land within the Residence A zone which allows only 40,000 sf of minimum lot sizes. We suspect that a change of zone from 40,000 sf to 80,000 sf may result in yet a lower sale price for affected vacant land (see attached letter to LI Farm Bureau dated 10/25/1996 for our findings).

A lowered land value will affect our 400 borrowers relationship with us in the following ways. First, loans collateralized within the targeted "upzone" land will require more acreage for collateral to make up for the lowered value. Second, less money can be loaned for a given plot of land within the upzoned area. Third, new appraisals will need to be completed, at borrowers expense, to account for the change in collateral characteristics.

At Farm Credit, we already are very concerned with the continual decline in the agricultural infrastructure that we are an integral part of. We have served Long Island agriculture since the early 1930's. The continued health of agricultural on Long Island will dictate our ability to continue serving this vital east end community. As you are surely aware of, land is and always has been the most important asset in a farm family's ability to borrow, retire and grow

into the future. A downward shift in value of this key farm component will no doubt affect the current generation and all future generations of the Farm community.

At First Pioneer Farm Credit, ACA in the Riverhead NY branch, we want to see the Town reconsider this "upzone" of agricultural land. The preservation of the rural character within the confines of Riverhead, depends to a large extent on the financial health of the farm family. Patrick K. Wiles, Assistant Secretary-Treasurer.

Supervisor Stark: "Is there anybody else who would like to make comment at this particular-- Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. This thing is kind of complex and not too easy to understand for me, but there is one question that I want to ask. (inaudible) and Barbara Blass and Rick (inaudible) they mentioned something about an article 6 that you could have 300 gallons of wastewater runoff. I don't understand that. Could that be explained maybe?"

Supervisor Stark: "Sure. Is Rick out there or Barbara, if you want to? Joe Baier is coming."

Joe Baier: "Joe Baier, Suffolk County Department of Health. I was going to also make a statement a little bit later. I'm not exactly sure what Steve is referring to, but-- "

Supervisor Stark: "He's talking about (inaudible) of land and wastewater credits."

Joe Baier: "Article 6 of Suffolk County Sanitary Code provides certain density requirements for developments and at the same time it does that, it does that by dividing the county up into various groundwater management zones. The basic density requirement in the D recharge area is one-- dwelling unit per acre. In the discharge zones, which would be outside the center, would be on the coast of the Long Island Sound coast would be the brown area of the map, is half acre density. Now, when you move from one dwelling unit per acre or one dwelling unit per half acre into commercial or industrial, you can't go by dwelling units you then have to go by flow of sewage. And that's how we arrived at 300 gallons of sewage for a dwelling unit and so you kept in the deep recharge area you are allowed 300

gallons per acre. In the discharge zone, you are allowed 600 gallons per acre. It's just multiple half acre and that's where that comes from."

Supervisor Stark: "Okay, Steve? Okay."

Steve Haizlip: "I understand as much now as I did when I asked the question."

Supervisor Stark: "Well, after the meeting, Steve, if you would go outside with Joe, he'll bring it down to layman's terms."

Joe Baier: "That's what it officially means and that's how we translate it when we actually see a design."

Supervisor Stark: "But basically what you're saying if you want a higher density you can go out and purchase and sterilize land to get wastewater credit."

Joe Baier: "Well, that's a whole different issue absolutely."

Supervisor Stark: "I think that's what he's talking about."

Joe Baier: "I didn't realize that's where he was going. I was just giving you what our requirements are, what the code says."

Supervisor Stark: "Thanks, Joe."

Joe Baier: "But, while I'm here, I would like to put something on your record because it did come up at the informational meeting last week and it does have to do with our policy with regard to what you would say is cohabitating or coexisting of development and farmland on the same piece of property. And how that relates in terms of discharge zones versus recharge-- deep recharge zones. Or the green area on your map versus the brown area. And in the generic environmental impact statement in appendix B there is a memorandum which indicates what it is. Attached to it are some examples of what you could get in terms of number of homes on a certain size piece of property.

And just for the record, I just would give you two of those so that you can make a comparison. There's four lists, but it has to do

with vacant land versus existing farming. And I'm taking it from the existing farmland subdivided. And this would be if someone had-- the example is if you had 100 acres and you wanted to subdivide it, what the Health Department would give you in terms of how many acres you could farm versus how many units you would be allowed to build on the same piece of property. You would farm part of it and build part of it.

You would get in the deep recharge zone, which would be the green zone, and this would be west of Roanoke Avenue, if you wanted to farm 30 of the 100 acres, you could build 56 units on the remaining portion. Now in comparison if you went to the brown area which you are calling the receiving areas which is the discharge zones, if you wanted to farm the same 30 acres you would be allowed 105 units. So you could then by what is being requested here, you could also transfer up there as well because you would be allowed to transfer and go down to one acre. We would still allow 100 units based on our requirements. I just wanted to put those two comparisons on the record.

But, in effect, what we are saying, the deep recharge zone is you really have to have a two acre density if you want to have some farming and you want to have homes."

Councilman Prusinowski: "This is the policy or the regulation of the Health Department now east of Roanoke Avenue in the deep recharge zone?"

Joe Baier: "West of Roanoke."

Councilman Prusinowski: "I'm sorry, I mean west of Roanoke Avenue."

Joe Baier: "That's right."

Councilman Prusinowski: "Okay."

Supervisor Stark: "Let me ask you a question while you are up here, Joe. Let's just take 100 acres for argument's sake and somebody comes in and wants to subdivide that for a cluster and cluster the density down into 30 acres, what is allowable in the other 70 acres?"

Joe Baier: "Well, what we basically-- "

Supervisor Stark: "Is this in the same church?"

Joe Baier: "Yes. Using the same idea, if you didn't want to farm, okay. If you didn't farm on that 100 acres."

Supervisor Stark: "I mean, because we have some subdivisions in the Town of Riverhead right now that, in fact, have been clustered and the other land you know is left for open space."

Joe Baier: "Yes, that's no problem. We have no problem with clustering. Clustering is the excepted concepted. You can cluster down to whatever your town planning and the Town Board would allow. As far as the size of the lots. But what we are saying is-- "

Supervisor Stark: "That's been a point of controversy I know in the agricultural industry because in some instances and maybe, Joe, you can either shake your head yes or no that in fact up even off of Middle Road that some of these areas have been clustered that the Board of Health gave the farmers who would like to rent that land a difficult time in farming."

Joe Baier: "That's exactly what I'm driving at. If you want-- go back to the example of the deep recharge. If you have 100 acres and you want to farm 30 of the 100, so you have 70 left, the question is how many units can you put on? We would allow 56 units. You would put on the 70 acres that remained or you could put it on 50 acres and leave 20 more acres just out."

Supervisor Stark: "And that 20 acres has to stay sterilized and not used?"

Joe Baier: "That's right. You couldn't build on them anytime."

Supervisor Stark: "So if they have reached their density of the entire 100 acres and clustered it, that other land would have to-- "

Joe Baier: "If you didn't farm it, if you say now I'm not going to farm it at all, I'm just going to put dwelling units on it, then you are still allowed as far as Article 6 is concerned one dwelling unit per acre so you could get your 80 units."

Supervisor Stark: "Now do those regulations change as water is relatively more available to the community? I mean right now I guess this town has got at least 90% of city water. I would imagine the regulations have been stipulated for fear of wells being contaminated with pesticides or what have you."

Joe Baier: "The deep recharge zone does not affect. You still need 40,000 even with public water. But in a discharge zone, you can have-- if you have public water you go down to 20,000."

Supervisor Stark: "Good. Thank you. Is there anybody else who would like to make comment at this particular time? We will continue again this evening. Counselor, I believe you are heading this way. When we adjourn this afternoon, we will again start off at-- we will only recess until 7:00 for anybody that was unable to make this afternoon because one reason or another. I think the crowd will probably be thinner tonight, but I think most of the crowd is here this afternoon. I appreciate your coming out in the afternoon. Allen."

Allen M. Smith: "The appearance for the record is Allen M. Smith. I'm an attorney practicing law at 737 Roanoke Avenue, Riverhead. I have a few almost technical type things to raise with the Board and then my comments.

For the purposes of those owners that wish to file a petition under Section 265, which would call out a super majority, how many acres are you affecting by these proposed changes?"

Rick Hanley: "Jim, it's about 14,000 acres."

Allen M. Smith: "So for purposes of that petition, it's 14,000 acres."

Supervisor Stark: "Or in that ballpark. It's like the population of the town. We're not quite sure what it is."

Allen M. Smith: "When I know what the mark is, I know what to shoot at."

Supervisor Stark: "I've gone duck hunting with you and you don't shoot very well."

Allen M. Smith: "I hope to improve. The Planning Board memo which is attached to the document that we finally pried loose from you fellows last week sometime, is dated 10/23/96 and then Roman numeral II, subs 1 and 2 and referenced maps. My copy didn't have any maps. Are there maps?"

Rick Hanley: "Do you want me to respond to that?"

Supervisor Stark: "Sure. Why don't you move up closer to counsel?"

Rick Hanley: "There are two graphic depictions at the front of the room here, the map to my right, the audience's right, indicates all parcels which are to be-- experience upzonings according to the proposal. And that's broken down into a revised Ag A district, a revised Residential A district, a revised Residential C district, and then the parcel which is the Jamesport piece which is a change of zone that was recommended on the map itself. That's the map that supports the amendment to the zoning ordinance."

Supervisor Stark: "Okay."

Allen M. Smith: "I would then ask, Mr. Stark, on behalf of myself, Mr. Lamb and his firm, Mr. Twomey and his firm, and Mr. John Klein and his firm that we all be provided with prints of the two maps that are referenced in those particular drawings and it would also be of interest to us when they were created because this talks about them having been done in October of last year and we tried to get them last week but they didn't exist so it would be very interesting-- "

Supervisor Stark: "No problem."

Allen M. Smith: "Okay. I have three technical issues. Late last year, you rezoned the property that is owned by Alvin Benjamin on Middle Road as retirement community. This map rezones the (inaudible) property back to Residence C. Is that your intent?"

Supervisor Stark: "I don't know whether that's the intent of it. Again, Allen, as you well know, that this is a draft copy. That changes can happen to this copy. There's probably some errors in it. Undoubtedly you've had a better opportunity to fine tune your

omments on it."

Allen M. Smith: "I've worked on it all day, both days this eekend, and-- "

Supervisor Stark: "No problem."

Allen M. Smith: "-- I'm suggesting to you that it makes a real ifference for someone that has spent the last year or so prosecuting ou know an expansion of John Wesley Village when, in fact, we have o disclose to bankers and others that there is this proposed change ack to what it was before. And I don't think you intend it, you ust simply say we don't intend it."

Supervisor Stark: "Okay. No problem on that."

Allen M. Smith: "All right. The other one is made of the same tuff. The Ad Chem people, Puhfahl (phonetic) family have acquired hat you Mr. Stark know as the Casper Farm out back. When you roposed the sewer expansion onto Route 58, you included that parcel. t made a great deal of sense to the Puhfahls and Ad Chem corporation s being consistent with the expansion of the facility in Riverhead. his drawing, it goes the other way. I suggest to you with a letter hat I've handed up there, that you revise your map such that you o not include the Casper farm, what we know as Casper farm, and that he line run up to Middle Road at that point and over to Mill Road. here is a lot of really great soils to be preserved in there and I'm ot really sure why it was included.

Last sort of technical thing is with reference to a transitional -- there is nothing in the documents that I've seen that indicate hat there's any sort of a transitional rule here. Planning Board pproved a subdivision known as PBL either in October or November. hat is again shown on this map as part of the upzone."

Supervisor Stark: "PDD."

Allen M. Smith: "PBL. If you are going to do this, you should ave a transitional rule of some sort so that in some fairness those eople who have-- whether it's Mr. Benjamin or Rev. Moore or these ther folks have some idea that, you know, you are going to change hings on them.

Those are the technical issues. I think that they warrant technical answers.

It comes as no surprise to the four of you that I sat on the school board of the Riverhead School District for three fun filled years not so long ago. I-- as I say, I spent both days this weekend working this document over. I have now-- this is my 30th year in the practice of law. This is my specialty, zoning, planning, this type of thing. The document that you have in front of you is the worst I have ever seen. It stinks. Now, I understand there has been some discussion that the Board would entertain the idea that this thing will be put on hold, that the Farm Bureau will hire the professionals that would look at it and come back with the comments that are necessary to make this into a viable thing one way or another. And if that's true, if that's what's going to happen I won't bore you with picking this thing apart. If you would like me to pick one or two, I will do it for you."

Supervisor Stark: "I don't see that you need to pick it apart."

Allen M. Smith: "Okay. So as I understand it this thing is going to get adjourned 90 days, the Farm Bureau will do their thing. If the erros are not corrected, we will come back."

Supervisor Stark: "Allen, I think when we started on this project that was the intent of this project. This project was one of the first phone calls I made was to Joe Gergalo of the Farm Bureau, was to develop a line of communication between the town and the industry to best define what is the best way in order to protect the interests of the town of Riverhead. This is the first step."

Allen M. Smith: "Okay. All I-- "

Supervisor Stark: "This is the first step. Certainly in my scanning it today, I didn't have the opportunity to take it away with me, probably wouldn't have read it anyway, but certainly there is a lot of work yet to be done. There's a lot of merit in my conversations with Joe. In here there's a lot of things that are in contention by the industry and whether they're farmers or not or just property owners. And these are the things that this process starts so that we can end up with a document that benefits everybody in the town of Riverhead."

Allen M. Smith: "In that-- "

Supervisor Stark: "But if you go back to when I called for it ith the agreement of the Board, we asked for a feasibility any mpact without infringing upon the economic value of our community. hat is step number one."

Allen M. Smith: "All right."

Supervisor Stark: "Maybe step number two."

Allen M. Smith: "I would suggest to you when they come back nd revisit this thing, that you cannot justify upzoning farmland in his community upon what is happening with the Riverhead School istrict. The farmers in this community did not create the conditions hat have created overcrowding within those schools and if we come ack 90 days from now and that's still in there, I will debunk it. I will demonstrate the authors their statistics are wrong, their atios are wrong, word for word for word. We have tax base problems. It is not caused by the farmers. You do not cure it by beating up n the farmers. It just doesn't work. Again, I won't bore you with it. We will come back in 90 days and we will do it again. Is that here we are?"

Supervisor Stark: "I believe we are close to that. I have some ore people here that want to talk."

Allen M. Smith: "I-- "

Supervisor Stark: "What I said, I don't think you have to pick t apart at this particular time. I think you understand, Allen."

Allen M. Smith: "I understand it and if you don't wish to-- "

Supervisor Stark: "You can beat me up again."

Allen M. Smith: "No. You just-- tell me, I'll come back next eek."

Supervisor Stark: "Okay, thank you, Allen. Anybody else who ould like to make comment at this particular time? Yes, sir."

Jim Gesualdi: "Jim Gesualdi, (inaudible) & Lamb, 534 Broad Hollow Road, Melville, New York. We are the attorneys for D'Lalio (phonetic) Sod Farm. I'm here today not having the benefit of as many years of practice experience as Mr. Smith but that's what prompts me to ask this question. I would just like to confirm and clarify on the record, as clearly as possible, that this will not be the last Town Board Public Hearing for the submission of comments relating to the draft generic environmental impact statement."

Supervisor Stark: "I'm sorry. Repeat that one."

Jim Gesualdi: "I would just like to clarify and make clear that this will not be the last-- "

Supervisor Stark: "You are making that statement or are you asking?"

Jim Gesualdi: "I'm asking you and the Town Board members to confirm that, that this will not be the last Town Board Public Hearing to consider comments to the draft environmental impact statement."

Supervisor Stark: "What is our process on that? If you would just step aside for one second."

Rick Hanley: "SEQRA provides for the Town Board or lead agency to hold a hearing on a draft impact statement. This is the hearing. If the Board desires they can also hold a hearing on a final impact statement which would be a document that would be generated after all comments have been reviewed by the Town and responded to. So that is purely a discretionary decision by the Town Board."

Councilman Prusinowski: "We can keep the comment period open."

Supervisor Stark: "Okay. Yes, sir, go ahead."

Jim Gesualdi: "Again, to reiterate my request is that this not be the final Public Hearing on the draft not the final, but the draft environmental impact statement. That request for clarification is prompted by the fact that our client secured late Friday afternoon a copy of the DGEIS which we proceeded to review quite thoroughly the last few days and if the Town Board would like, I will recite a number of defects in the Town law, the County administrative code,

the Town code and a number of concerns with regard to the DGIS. However, if we will be provided another opportunity in a forum before the Town Board to present our oral testimony and written comment, I would defer and reserve our right to do that."

Supervisor Stark: "I have no problem with that."

Jim Gesualdi: "So there will be a further Public Hearing-- "

Supervisor Stark: "There's going to be a lot further discussion on this. I have basically (inaudible) the Board. We are going to accept the Farm Bureau's offer. We are going to extend for 90 days. We are going to take advantage of their planning department, our planning department expertise. Again, the ultimate goal is to devise a document which is satisfactory to all interested parties in the Town of Riverhead. And this is probably one of the first steps and we will do that and we are not going to-- this is not something we are doing tomorrow night or next week or something like that. It's a process, a process that when we started we knew that it was going to be long and arduous, and during this particular period of time, we hope to have more communication not only with the Farm Bureau but with other interested parties and industries in the Town of Riverhead. And that's where we are headed."

Jim Gesualdi: "Okay. Well, based on the representation that we will have-- "

Supervisor Stark: "If you would like to make written comment to us that can be incorporated into that further communication, we certainly welcome it."

Jim Gesualdi: "Well, I would like to reserve that right but I would also like to reserve the right to be back here and have your full attention before-- "

Supervisor Stark: "We are very (inaudible) people. You can come back any time you want."

Jim Gesualdi: "Okay. Well I appreciate that and I look further to commenting further."

Tom Twomey: "Mr. Supervisor, a point of information. I think I

can help the Counselor. He's just trying to get confirmation that the Town Board is going to adjourn this hearing without concluding it until 90 days."

Supervisor Stark: "We are going to recess, Tom."

Tom Twomey: "Yes. This particular hearing will be adjourned for further testimony at a later date-- "

Councilman Prusinowski: "That's allowed under the SEQRA law."

Tom Twomey: "I think that's what Counselor is trying to get confirmed rather than closing this hearing."

Supervisor Stark: "I hope everybody is getting this side bar over here."

Tom Twomey: "It creates a problem-- the other attorneys in the room is this hearing is closed."

Supervisor Stark: "No, this hearing is not going to be closed."

Tom Twomey: "Thank you."

Jim Gesualdi: "Thank you."

Supervisor Stark: "Is there anybody else who would like to make comment? Again, as we go through this process we certainly, again, are heading in a direction that when we have a final document is going to be to the best-- to the satisfaction of all those who are included in our town and that's where we are headed. That's what we want to accomplish. I believe we will reach that goal and, again, it's not something that is going to happen tomorrow morning or anything else. And nobody is trying to beat up on the agricultural industry. We are trying to prepare our town for the future. I doubt if I am going to be here another 100 years. I probably will struggle like hell to make another 10."

Henry Talmage: "Henry Talmage, Edwards Avenue, Calverton. I manage a fifth generation farm business on Sound Avenue, H.R. Talmage & Son. I think I should probably comment on this stuff because I don't think I will be able to read my writing in 90 days. I might

not be able to read it now. I'm involved also in the Long Island Farm Bureau and I was on the committee along with Lyle and some other people involved in agriculture on what we refer to and I don't know if it was an official name, but called the Upzone Committee.

Let me first state that the goals listed in the GEIS for the program for the most part are positive and noble to preserve important agricultural lands within the town, to identify land use mechanisms which could be employed to support the agricultural industry, and to provide for the management of potential growth in population of the town.

In my view the committee we were involved with-- and maybe this extends to the town as well-- was looking at it from a different approach and at least the impression I got was let's assume we are going to upzone to two acres to limit the population and let's design programs to mitigate the impact on agriculture. To me these are two very different approaches and the biggest difference is that the upzone component of the second approach is assumed. And I believe that's a mistake.

I would like to talk a minute just about some of the mindset in the farm community and the farm environment in Riverhead. In a lot of our discussions it's been said that the best way-- and some would argue the only way-- to really preserve farming is to have a business climate that enables the farmer to make money. There are several families-- several families have been preserving farmland in Riverhead for over 300 years. All farmers are businessmen. And they are in business to make a profit. However, profit is not the only factor that drives our decisions. Most any business consultant would say to even the most successful farmers that given the risk they encounter, the returns are simply too low to be justified. Strictly on the analysis of a risk and return ratio, most farmers would be better off to liquidate their assets, sell their land, invest it, and work in an industry outside of agriculture.

So why are there any farmers left at all? The reason is because although making a profit is important to survival and success, factors such as lifestyle, connection to the land, tradition, often outweigh sheer profits. Farmers look at equity in their land as a savings account, that if need be could be used if farming activities cannot support their families. The problem with upzones is that

armers feel threatened about having the value of their savings account iminished. Upzones can accelerate the conversion of farmland before he feared next round of upzones occur.

In general, farming is doing well in Riverhead. And as a result any thousands of acres of farmland remain in farming. There are ew farm operations starting up and there is investment, equipment and buildings. A good indication of the strength of farming in Riverhead is the enrollment in the recently reviewed Ag District, a program that requires a farmer to commit that he will not develop his land for a period of time unless he pays a severe penalty in exchange for reduced property taxes. Acreage in the program went from approximately 3500 acres to over 9000 acres in Riverhead alone. This is a very powerful farmland preservation tool already in place at work.

However, if a farmer is worried about the future land use regulations on his land, he may not want to continue in that type of program. And the result could be an even faster conversion.

I would like to talk a minute just about some of the specifics in the program starting with the positive first. I believe that many of the recommendations in the plan can truly help agriculture if implemented. Streamlining the farmstand permit process, the agricultural bill of rights, the use of TDR's to tranfer developments away from areas off farming and into resort and commercial areas without an upzone, cluster developments, again without an upzone that would preserve lands that could be used for farming. Use of IDA funds for agricultural investment and the farm structure tax exemption extension. Another positive aspect is the Town PDR program.

I was under the impression the PDR program was for $2,000,000 to be used for farm development rights. Apparently H2M agreed on page seven of the report, they also used the $2,000,000 figure. I'm concerned that I find out later that only $1,000,000 of the dollars would be used for agricultural development right purchase and another million to be used for other open space programs. It makes one wonder about whether the town is serious about preserving farmland.

These positive-- there are positive-- "

<u>Councilman Prusinowski:</u> "I want to stop you there. That was a

discussion at a work session. There's been no formal policy set on that by the entire Town Board. Okay. There's matching dollars involved as you know. I agree PDR's is the best way to preserve farmland. I was-- I've been on the upzoning wars before with you guys, to continue."

Henry Talmage: "Okay. These are all positive things for agriculture and if the Board wishes to really help agriculture, look at adopting them on their own merit. Don't tie the adoption of the upzone-- don't tie it to the adoption of the upzone because as good as many of these things are, I would bet many farmers in this room would rather not have any of them if it means an upzone.

With respect to the upzone, one of the most compelling arguments for the upzone is to limit the overall saturation population of the town from approximately 65,000 to 45,000, to help alleviate the problem of school taxes. The problem is that I don't believe the town nor H2M looked hard enough at the time line. I think the time line here is critical. If the rate of growth remains constant, that is the same number of units are built that were built for the average years '94, '95, and '96 according to table 9, these are new housing starts, according to H2M's figures of 3.6 people per household, Section 3, page 1, and the population saturation change of table 9, it will take 48 years before any difference at all takes affect from the lower saturation population.

In other words, the farmers value will be diminished day one, and the benefit to the taxpayer will be 48 years away. This clearly is not the answer. If we have a school funding problem, let's look at it with our eyes open. Let's look at some of the programs being talked about in Albany. Let's work with the school board, Southampton Town, business and civic groups, etc. There's a lot of talk about getting away from the real property funding of schools and I think it's premature for us to assume that none of that is going to happen.

Let's not make the farmers the target of a program that won't do anything for 48 years anyway. Let's look at it differently. We have 48 years to let an even low level funded PDR program work to reduce the saturation population without hurting the farmers. More and more federal and state, along with county funds, are becoming available. Let's concentrate on getting those funds to reduce the saturation population.

Look what the county program has done on its own in the last 20 years.

Lastly, valuation. Farmers feel that upzoning diminishes their values. Some have said that because there will be one-half number of units available, market conditions will make the units that remain more valuable and point to Southampton and Southold as examples. Southampton, East Hampton, Southold, all have something we don't have. A hugh second home, vacation home market. Riverhead is not the same and to draw conclusions as if they were the same is simply not responsible. Just ask the home builder, how much can you pay land cost for a house if you wish to build in Riverhead? Let's say his response if $25,000 per unit. Ask him again the day after an upzone for the exact same house and see if it's doubled. I don't think so.

One lesson can be learned from Southampton, however, there is very little farmland left at all after the upzone. Why? Because developers are forced to buy more land with the same number of houses. Thus, again, accelerating the problem, not helping it. We can use the tools of PDR, clustering, TDR, etc., to preserve farmland but not at the expense of the farming community.

And furthermore, let the real farmland preservation experts do their job. The farmers, and reject the upzone."

Supervisor Stark: "Thank you. Is there anybody else who would like to make comment at this particular time? New member of the school board."

Dave Macknee: "I'll be very brief, not as usual, but-- I really wish a lot of the farm community would come out to their school board meetings. With 70% of the taxes here and frankly I believe we're in a lot of trouble. You, Jim, and the rest of the Board could help by trying to-- Fred Thiele last year put up a bill to reform (inaudible) law and if we-- because we don't have any type of weight that we can have any cooperative, you know, with the unions. You can't beat the unions. No matter what you do, you give these people money. All right. In Salem, New Jersey, a big farm community almost like here, a teacher gets $41,000. Here they get $80.000. Because of Triboro. That means the farmers here are not on par with the farmers in Pennsylvania and New Jersey because we have the school system that has been allowed to by politicians to take money from the

teacher's union to not give us the laws whereby we can work with and keep their salaries down, and I would just ask you as a Board to work with Thiele-- he's already done his job-- but especially LaValle who never picked up the Triboro law in the Senate. Let's give us a little hand. Maybe we can help the farmers that way. Thank you."

Supervisor Stark: "Thank you. Is there anybody else who would like to make comment at this particular time? Howie."

Howard Young: "Good afternoon. I'm Howard Young from Young & Young. I don't often do this because of my position in the community and I wish I could separate myself from what I do for a living. I would like you to think a little different in this upzoning. Number one is to define to us residents really what the purpose is. If the purpose if to exclude people from Riverhead, I think you're probably doing a good job. If-- I'm not sure about the farmland preservation part of it but I've tried to educate myself about zoning for some years and I see in the newspapers and other publications more and more today that we are feeling the pitfalls and the downside to zoning and I think these things are becoming disastrous to most hamlets on Long Island. And I've noticed over the past months and years that the Business Improvement District has tried to blame retail competition for their downfall of our downtown area but I think it's upzoning that has caused the problems.

When Jimmy and I were boys growing up in Riverhead-- "

Supervisor Stark: "That was a long time ago."

Howard Young: "Yeah, it was, but if your memory is as bad as mine, but if you remember what Second Street was like and what First Street was like in those days, the stalwart families of Riverhead lived there, the professionals, the doctors and lawyers and our friends. Today, I think if you look down there, we have an immigrant population that's being stuffed into these buildings down here and it's only because of exclusionary zoning. They can't live any place else. They can't live on a half acre; they can't afford to buy a half acre and you want to make them buy an acre. If you are going to do some upzoning, you ought to think about some downzoning at a certain time. We have a great asset here in Riverhead of our Sewer and Water Districts downtown. We could have high density residential zones. We could have quarter acre lots downtown which would take the

development pressures off the farmland.

And I know the position you're in where your neighboring communities are upzoning and therefore we sought of get in Riverhead get everything else dumped on us. But two wrongs don't make a right. If you really want this town to survive and the downtown areas to be prosperous, you have to have some people living here. And you have to have some young people here. You have to have some firemen here. You can't have a community that's built of professionals that live up on the bluffs of the town so I think you really have to take a hard look at what you are trying to do, what you are trying to accomplish.

And we keep doing this stuff on piecemeal. We keep talking about hamlet studies and little (inaudible). It's asinine to do hamlet studies. We're a community. We ought to look at the whole thing. A small plan is what a small plan is, it's just a piece of junk. Look at the whole, broad aspect of our town. See what needs to be done. You can't think of what's happening 100 years from now."

Councilman Prusinowski: "But, Howie, I want to say this. It has been said all night. Wading River, Aquebogue, Jamesport have all been rezoned. All the business corridors have been rezoned. Calverton is pending. And the only thing we have left to do is the Riverhead hamlet. The thing that was left out was a tremendous-- the 13,000 acres because one time three years ago we had a meeting here of all the hamlet studies and it was said that any type of TDR program or any possible upzoning has to be by a townwide plan. You just can't have each individual hamlets. Where Aquebogue and Jamesport have different categories that can be developed now; we've restricted no more Pathmark shopping centers, you know, we're getting blasted in the papers about-- tonight I read-- I mean I've heard here today what I already know. We're not paving over Riverhead. We have a lot of open space preserved and the question is should we, should we not upzone is something that we'll hash out.

And the Farm Bureau has put together a panel of experts and we should work with them. But as far as a master plan, the master plan has been long outdated. It's something that was done in 1973 and it's long gone."

Howard Young: "I'm not arguing with you, Vic."

Councilman Prusinowski: "You know, it's been replaced with all the other things that we've done and the only last component has always been this question that's been hanging out there. And that's what we are getting discussed today."

Howard Young: "I happen to work in this business each day trying to deal with the codes. So I think I know its pitfalls. I'm just saying you ought to look at zoning as the bad thing it's done to Riverhead and I think the whole deterioration of our hamlets is because of the upzoning."

Councilman Prusinowski: "Well, I'll tell you the bad thing that's happened to Riverhead is we have adopted several affordable housing projects in town which strip a lot of the units downtown of the rentals and they're all living up at Bear Estates and it's opening up to attack from the Social Service Department. That's a byproduct unfortunately of affordable housing."

Howard Young: "Vic, I'm not here to argue with you about and-- "

Councilman Prusinowski: "Well, I'm just trying to tell you what the fact is."

Howard Young: "I know what the facts are because I've lived here all my life and I deal with this every day. I know-- we've come in here many times in the downtown Riverhead area, you know where I live on Ostrander Avenue. We've come in to the Board of Appeals to get some vacant lot you know subdivided, it's undersized, it's under the half acre zone. Because everything down here is undersized and we get turned down. Now every house-- if you don't want people in Riverhead, you're doing a good job. And if you don't want people downtown, you know, to shop, you're doing a good job.

And I thank you for the things that you've done with Young & Young. But I'm speaking now as a resident here. And if you read the scholars, you know-- "

Supervisor Stark: "You're not speaking from Young & Young. You're speaking Howard Young, Ostrander Avenue."

Howard Young: "Right. And I see what's happening in my neighborhood. I see what's happening to Ostrander Avenue. We have

for sale signs and I see it going downhill. The reason it's going downhill is because everybody is flying away to out in the sticks some place. I remember when all the lawyers in Riverhead moved to Bay Woods because they wanted to get out of downtown here. Or up on the sound to Rolling Woods or to the south shore in Quogue because they wanted to get away from what was happening. And to turn that around, you've got to make something nice downtown for people to live.

And the scholars in the zoning will tell you the problem with the zoning is exclusionary zoning. And you are going to exclude everybody from this community by doing what you're doing. Now that may be great for the school, but it's certainly not great for the long range. Where is the people going to take our places? Are they going to be living in California. Are we going to have a bunch of blue haired old ladies here and a bunch of children and no firemen. Like me, no hair."

Supervisor Stark: "Well, at least they have a lot of hair."

Howard Young: "Right. Anyway, I think you really need a hard look. And I also-- I read this thing that Allen was talking about and I just thought it was horrible. I thought it was horrible for the local planning to try to put Health Department regulations in our code and to put crazy things in our code that had to do with sewage. I mean those things can be addressed on a different level. We have sewage treatment plants or to limit the number of gallons that you can have on a piece of property. There's not place in the code. And I know-- but anyway-- "

Supervisor Stark: "I've got to go through George yet."

Howard Young: "You always have to do that. But, anyway, give it a hard thought and think where the young people are going to live."

Supervisor Stark: "Okay. Again, Howie, in all the years that you dealt in this town and your father before you in zoning and the planning and everything you do for the town and have done for the town, it's a process. And we are starting the process and certainly there are many facets that have been brought to our attention here this afternoon and this is the reason why you have public hearings."

Howard Young: "And I understand, Jimmy, and I'm not trying to find fault. I understand the position you're in."

Supervisor Stark: "My wife finds fault with everything."

Howard Young: "And I wish you would put some pressure on the legislature to change the way we tax for funding schools. I mean it's ridiculous."

Supervisor Stark: "That I've been on Senator LaValle's back constantly now for the last year and to bring a note-- you know, Riverhead pays 80, 81, 82% of the tax bill for the education of children in the town of Riverhead. But yet 30% of the student population comes from Southampton. So I've brought that to the Senator's-- and he is working on legislation. They're trying to change the formula. You will never create a new district. And I could go into the history of why-- "

Howard Young: "Well, I'm just saying-- we could fund schools in many ways."

Supervisor Stark: "But, Howie, we could go into the history of why Flanders was included in Central School District."

Howard Young: "Well, I don't care who is included, you know. But I want my community to be a better community and I don't think-- "

Supervisor Stark: "I think we all do. That's why we are basically starting this process."

Howard Young: "One more comment and I'll let you have yours. My father worked very hard on this zoning that we have now. And in the end-- in his last days he used to say to me I wish I could run for Supervisor and I would run on appealing all zoning. Zoning has not turned out to be the panacea that you thought it was going to be. And I think Riverhead would have developed as good or better without it, so, just keep those things in mind."

Supervisor Stark: "Thank you, Howie. Is there anybody else who would like to make comment at this particular time? We will recess here this afternoon and reconvene at 7:00 tonight. If there is anybody that was unable to come today. We cannot extend any period of

time until after that portion of the public hearing is completed. And then we will make resolution as to what Lyle and Phil and Tom Twomey referred to. If there's nobody else, hold onto your seats, here comes George."

George Schmelzer: "Listen to that. I can barely walk. What's your purpose of this upzoning? Population control? Well, do you hear me?"

Supervisor Stark: "I hear you, George. I think you know what the purpose of it is, is to study the feasibility impact of upzoning on the town of Riverhead. And that's what we are doing. We are studying feasibility."

George Schmelzer: "You don't know what it's all about? What you are studying?"

Supervisor Stark: "I know what it's all about."

George Schmelzer: "You mean you are in (inaudible) you don't -- have to study to find out what it's all about."

Supervisor Stark: "George, I'll tell you something, George."

George Schmelzer: "Well, you told me that. You said you are studying. What is the purpose of it? For population control or not?"

Supervisor Stark: "Population control is certainly a great deal part of it."

George Schmelzer: "Okay. Then why don't you call it what it is. It's contraceptive zoning. Maybe instead of doing this-- "

Supervisor Stark: "Now you know why I save him for last."

George Schmelzer: "When you send the tax bills out you better send a package of condoms, too, with the tax bill. Maybe that would be better. Population control."

Supervisor Stark: "George?"

George Schmelzer: "Yeah, I hear."

Supervisor Stark: "George, if you don't have anything productive to say, I'm going to recess this meeting until tonight."

George Schmelzer: "No. You pull that stuff on me many times."

Supervisor Stark: "I do."

George Schmelzer: "Yeah, well I'll get more in the evening then, so the farmers-- "

Supervisor Stark: "The camera is over here if you want to tilt your head just a little bit more."

George Schmelzer: "No. The camera is on you most of the time."

Supervisor Stark: "No. It's on you."

George Schmelzer: "Maybe at the moment, but the camera is on you most of the time. I thought."

Supervisor Stark: "Do you watch those shows?"

George Schmelzer: "No."

Supervisor Stark: "I don't either."

George Schmelzer: "How do you know if it's a show then if you don't watch it? So, the farmers have been slaves since the dawn of history. They have been serfs and like when people were nomads, they ate off what they could find in the wild and when they settled down, they have to guard their crops. That's why they call it a garden. No kidding. So then it developed that the farmers became serfs for the nobles so the nobles would get fed and the people in the town. And even in Czarist Russia it was 1860 before the serfs could-- were allowed to leave the farm. Now you are going to back to that again here. We will buy the development rights, keep the farmer on his land, he can't leave, he's tied to the land. It's not for the farmer. It's for the people that like to look at farms and also to eat.

The farmers just make sure that the other rascals in this country

have sufficient food. And the farmers are damn fools not to realize that. If it doesn't pay to farm, give it up. Your family made money off the farms for years. They sold the business didn't they? Because they knew damn well that farmers were going out. That's why they sold the business to some sucker in Pennsylvania and they went out of business."

Supervisor Stark: "Yeah, but I carried on for 25 years."

George Schmelzer: "Yeah, but what are you doing now? Nothing."

Supervisor Stark: "A little bit."

George Schmelzer: "As far as two acre zoning, which one of you has two acres on your own house? Nobody does. You are a bunch of hippocrits. Ask anybody else who is elected or who has a bureaucratic job in this town if they have two acres under their house. Only accidentally. Not a word said. See, no answers. I didn't expect any answer. That's what it is."

Supervisor Stark: "You haven't asked a question yet."

George Schmelzer: "Oh, I asked you, do you have two acres under your house?"

Supervisor Stark: "No. I don't. I have about three-quarters of an acre."

George Schmelzer: "Well, Joe Janoski said he did. I looked it up. He only had five-eighths. You remember that, don't you?"

Supervisor Stark: "Yes."

George Schmelzer: "I know."

Supervisor Stark: "Okay, George. Do you want to sum up?"

George Schmelzer: "Oh, sure. You've got to give me as much time as the others. This-- these farmers here, you want to buy the development rights, tie them down so the guy (inaudible) is losing money he got from the development rights being sold."

Supervisor Stark: "The development right program, George, is strictly voluntary."

George Schmelzer: "Voluntary or not, same thing. So then the farmer can't sell his land; nobody wants it. Except for farming. Maybe some-- Vic said you get 10,000 an acre for it. Maybe some millionaire horse man wants to buy it for cheap taxes, otherwise not."

Councilman Prusinowski: "The biggest problem with the farmland program now is that the county doesn't offer enough per acre to make it worth their while for the farmers to sign up. That's why they always have $5,000,000 unspent. And the hope was that if you go through the town program, the (inaudible)."

George Schmelzer: "Well, this is not a democracy; it's a mooch-ocracy. The town is mooching off the county, state and federal government; the county is mooching off the state and the federal government; and the state mooches off the federal government. That's the end of the mooch. We can't mooch off the United Nations. So it's bad just-- I can't see how they say this is one of the most successful counties in the state for agriculture. Most of the dealers have closed up-- (inaudible) dealers. There's no auction for cauliflower. There's no potato dealers. What the hell is there? The duck place closed up. There's no duck farms now, but one, and because these environmentalists got rid of the duck farms, say they were polluting the water for 50 years. Now they find out the reason there's no fish in the bay is because there's a dirth of nitrogen. And they found out that brown tide is not caused by duck farm, there's no duck farm, it's caused by a shortage of nitrogen. So some of these environmentalists have said, oh we've got to get the sewer department to let more sewage out, nitrogen out in the bay. So I tell them you would rather have human crap than duck shit. Right?"

Supervisor Stark: "Thank you, George."

George Schmelzer: "Actually the duck farms feeding the fish, that was what they call organic farming. When they talk about organic farming, that's it. They don't want it. What the hell do they want? And they don't want farmers to put fertilizer on the ground-- "

Supervisor Stark: "It's like the late night show here."

George Schmelzer: "Yeah, now, if you want to get rid of some of these city people on a farm, I would advise a farmer to plant the stinkiest cabbage he can (inaudible) next to these people. And when it freezes, I was in Pennsylvania one time I smelled some of that stuff. I should have asked what variety that was. But then sowed rye in between the rows of cabbage, they can't be told to just the cabbage because they would be destroying the cover crop. That you do two years of that in a row, you would shut these bastards up fast."

Supervisor Stark: "Okay, thank you, George."

George Schmelzer: "I'm not finished."

Supervisor Stark: "We are going to recess until 7:00 tonight."

George Schmelzer: "Can I come back after 7:00?"

Supervisor Stark: "You can come better tonight after 7:00 and I know you are going to be here tomorrow night for the Town Board meeting."

George Schmelzer: "Oh yeah, because I've got stuff that-- "

Supervisor Stark: "Thank you very much."

Public Hearing adjourned: 4:05 p.m.

Public Hearing resumed: 7:09 p.m.

Supervisor Stark: "Ladies and gentlemen, we will call this afternoon's recess back into session and this is the Public Hearing on the draft GEIS for the possibility of upzoning in the Town of Riverhead. I would ask Rick Hanley, Director of Planning to give us a quick scenario of what went on this afternoon update, and then we'll go from there."

Rick Hanley: "Thank you, Jim. In January of 1996, the Riverhead Town Board charged the Riverhead Planning Board and the Town Planning Department to analyze the potential development of 11,000 acres of active farmland existing in the Town and to make specific recommendations to the Board upon those amendments to the zoning ordinance which would better manage the future development of agricultural land

within the Town and further support continued success of the agricultural industry in Riverhead.

In order to ensure a viable program the Planning Board established a task force with representatives from government, the agricultural industry, the land development industry, and the banking industry. This group of officials and citizens worked for a number of months on the issue and did transmit to the Planning Board a series of recommendations which included both amendments to the zoning ordinance as well as other governmental action necessary for the adoption of a comprehensive program to hopefully regulate the last-- or vast land area being considered.

Today's hearing is designed to gain the views of all interested parties upon the proposed changes to the ordinance as well as upon the draft generic environmental impact statement which has been prepared by this Board and accepted by this Board in support of zoning amendments.

The maps displayed provide a graphic depiction of the proposed amendments to the zoning ordinance and the handout in front of the room provides an overview of the proposed program and presents numerical information with regard to land areas affected, saturation population figures for the town andenumeration of fiscal impacts of development of land within the study area.

In summary, the program includes the following elements specifically. First, an increase in the minimum lot size to 40,000 square feet from 40,000 square feet to 80,000 square feet within the existing Agriculture A Zoning Use District. The clustering of subdivisions would be employed by the Planning Board after the zone change in order to preserve valuable agricultural soils and lands.

Secondly, an increase in the minimum lot area within the Residential A Zoning Use District from 40,000 square feet to 80,000 square feet in order to create parody in the valuation of agricultural tracts and to make for a more effective TDR program, which is recommended.

Third, an increase in the minimum lot area within the Residential C Zoning Use District from 20,000 square feet to 40,000 square feet

as certain areas presently zoned Residential C have been identified as appropriate TDR receiving areas.

Fourth, an amendment to the Zoning Use District Map of the Town providing for a new district known as the Resort Development District to the exclusion of the Industrial A District on a tract located on Sound Avenue, Jamesport. That tract being the 500 acre parcel owned by the Long Island Lighting Company.

Fifth, the expansion of the existing TDR program as it exists within the code presently, which was adopted by this Board pursuant to the Jamesport Hamlet Study. The program would allow for inter-hamlet transfer of development rights on a one credit per two acre yield in order to preserve prime soils and provide an alternative to subdivision by the owners of agricultural land.

Sixth, the expansion of uses within the Agriculture A Zoning Use District to provide for more liberal language with regard to the sale at retail of agricultural products and the processing of agricultural products.

Seventh, a recommendation that agricultural building be exempt from real property taxes beyond the existing 10 year exemption. The idea is that that exemption would be perpetual.

Eighth, a recommendation that the Riverhead Community Development Agency and the IDA be employed to support the financing of agricultural prodcution and the industry inself.

And, lastly, the development of a farmers bill of rights designed to protect farm practices within established agricultural areas.

Just to reiterate, Jim, and be a little bit redundant, but, essentially the hearing this evening is in conformance with the Town law and with SEQRA law relative to the impact statement and comments are expected on the zoning amendments as well as the draft GEIS document. Thank you."

Supervisor Stark: "Thank you, Rick, and, again, as this is a continuation of this afternoon's meeting, Phil, do you want to make any comment as compared to earlier statements?"

Phil Schmitt: "Yes. I will. This is a-- I'm Phil Schmitt, President of the Farm Bureau. And I'll just quickly summarize what went on as we have some new members here this evening that possibly don't know what the Farm Bureau is undertaking.

The Farm Bureau basically announced this afternoon that we have creation of a farmland preservation task force. We've advised the Town Board that it has retained a panel of experts who have agreed to provide a comprehensive view of the upzoning in the Town. The people who are on the committee are the-- on this task force, the former County Executive, John Klein, Greeman Pedersen, who is an expert in the land planning and engineering field. We have retained the appraisal firm of Robert & Taylor. Dr. Nelson Bills, who is a PhD from-- who holds a Phd in Ag Economics from Cornell University and Stephen Jones, who is the director of Suffolk County Planning Department.

We have also asked the Town Board to keep the comment period open for at least an additional 90 days so the task force can provide a comprehensive investigation into the most effective and fairest means of preserving farmland and the agricultural industry in the Town. We have asked the Town to investigate federal, state and county monies that are and have been available for the preservation of farmland in the past, but up to this point, the Town has not pursued. The Long Island Farm Bureau-- Lyle also submitted testimony addressing the GEIS document and we look forward to working with the Town Board and look at all possible land preservation programs and options available to us."

Supervisor Stark: "Thank you, Phil. Lyle, do you want a quick summary or-- "

Lyle Wells: "I'll be all right, Jim, I'll have some comments in a little bit."

Supervisor Stark: "All right, good enough. Again, to summarize what went on this afternoon, there has been certain recognition by this Town Board that there are population explosion problems. We are trying to investigate the impact and feasibility of upzoning and other methods. This is the first step in that process. There is a draft GEIS here which is not necessarily all perfect, but that's the reason for this Public Hearing. This is to get input to be able

to answer comment and make this document as beneficial not only to the agricultural industry but to the residents of the Town of Riverhead. So at this time, I would like to open up the hearing to anybody that would like to make a comment on this particular Public Hearing. Somebody has got to be first. Barbara, would you like to -- as Chairman-- Chairperson of the Planning Board? I have to be careful the way I say it. Well, get some discussion going."

Barbara Blass: "Good evening, Mr. Supervisor, Councilmen, ladies and gentlemen. For the record, my name is Barbara Blass. I'm speaking to you on behalf of the Riverhead Planning Board. I won't read the entire statement, I will just go for the section that talks about the reasons that the Planning Board is supportive of these zoning amendments.

There are economic reasons. Farming industry is an integral part of our economy. According to a document prepared by the Suffolk County Planning Department, the farming industry in Suffolk County generates 8,000 jobs and adds almost a quarter of a billion dollars to the economy. On a local municipal level, for every dollar an acre of farmland pays in property taxes, it uses only $.30 in services. Do you want me to close the door?"

Supervisor Stark: "No, no. I'm trying to signal-- I wanted you to get together with Rick Hanley. No. I wanted you to go out."

Barbara Blass: "For every dollar a one acre homesite pays, it uses $1.23 in services. Clearly single family residential development has negative fiscal impacts. There are also quality of life issues here. Although we may never reach a saturation population of approximately 75,000 people, the thought is rather unpleasant. I say so much for rural character.

We know that the expansion of the commercial tax base is necessary but we need to balance that commercial development by protecting our rural character in our outer hamlets. In addition, any attempts at attaining tax stability by expanding the commercial tax base would clearly be negated by unchecked residential development.

In closing, I commend you for revisiting this difficult issue and urge you on behalf of your Riverhead Planning Board to consider

very carefully the amendments to the zoning ordinance before you. Riverhead is the only east end town that has not rezoned to two acres. Our neighboring municipalities have already taken this step and I say, again, it's never too late to do the right thing. Thank you."

Supervisor Stark: "Thank you, Barbara. Again, I ask for comment. I recognize a lot of the faces out there. Bought a lot of potatoes from him."

Robert Hartman: "Robert Hartman, of Sound Avenue, Riverhead. I come here as a citizen, a farmer, and also a taxpayer. I might not be up in the top 10 in the taxpayers in the town, but I don't think there's anybody that wants to pick up my bills. I see this whole thing and this is only part of it, the DEIS, or whatever you want to call it-- it's only a small part of it. And I just see the whole operation is just blowing smoke. And I'm a farmer, Jimmy, you know I speak straight out. I don't want anybody to get insulted by anything I say, but I say it from the heart and I say it the way it is. All right."

Supervisor Stark: "I've known you a long time; it hasn't been any different."

Robert Hartman: "That's right. And it ain't going to be any different. But we will still walk away friends. No matter what I say."

Supervisor Stark: "Absolutely."

Robert Hartman: "Now I see it as just an operation to steal half of the farmer's property. Now, if anybody can show me any different, boy, you will qualify for sainthood. Because that's all it really is. And some of the people pushing for this really have no idea what agriculture is all about, where it ever started, where it ever finished. But agriculture has sure been a big part of this town from day one. When they ride down Sound Avenue or Roanoke Avenue, any one of the roads around there, they see these nice big level farms out there, well manicured, well cropped in the season. Where do you think that come from? That comes from generations not just one generation, generations. A hell of a hard working people that tore all them trees and stumps out of there, literally with their bare hands. And what they have now is farms that are

economically farmed with the type of equipment that we have to use today to farm economically.

So the people that own them farms and operate them, man, I mean they went through a world of experience that most of the people working for the town or the people that wrote this up, they couldn't even begin to realize it. And when you read this thing, you'll understand that.

And from the taxpayers point of view, I strongly object to a lot of this stuff because this is only a part of it. The other thing is about that thick, costs thousands and thousands of dollars. And that's taxpayers money. As far as I'm concerned, most of it, after reading it is just a waste of money because in most instances and in a lot of taxpayers don't realize this. Oh, we're doing a study. We are going to find out everything. Well, you might call it a study, but the people that order the study and is paying for it, they're telling them how they want the final answers to be. So what good is the study?

The study, where it concerns agriculture certainly didn't study both sides. It's just like an artist painting a picture. He ain't going to have nobody telling how to paint the picture. He paints it the way he wants to paint it. But the taxpayers are getting it in their ear everytime somebody orders a study to be done with public money, and it's not really a true study.

But if you read this thing, it tells you it's not going to save any farmland. I thought this was going to help agriculture. There's nothing here to help agriculture. Oh, a few of them things there are good; we've been asking for them for years. But nothing was ever moved on it. Farm Bureau and farmers have been asking for most all the other stuff for years except that two acre zoning. And now this is why I call it smoke. Are you going to reach out with a little (inaudible) here and you've got a big knife right behind it. And that's about what it is. Just plain language, Jim. That's the way it is.

It also says in here that the only real reason they want to do it is to lower the possible density for schools. Boy is that a lot of smoke. You know there ain't too many people around this town that are really happy with what the taxes are on the schools to begin with. But the farmers sure didn't create this trouble. And I'll be damned

if any of the farmers here want to subsidize the school district and donate one acre for every two that they own. I think that's ludicrous to even ask for that. It says right in there that it ain't going to make any difference as far as preserving agriculture. And if anybody thinks it don't say it, I'll point it to you right here. I've got the page all marked. It's not going to stop the decline of agriculture. The only thing that will stop the decline of agriculture is good, hard practices around this town to help the farmers stay in business. He's getting hit from every corner.

And I'll tell you another thing a lot of people don't understand about agriculture. And, again, I don't mean to be derogatory, but you take a lot of people working for this town. Some have expertise, some don't, right on from the Supervisor down to a shovel-- a guy with a shovel in his hand. And it don't necessarily have to be the town. Outside people like this. Anybody that's got a nice job. I don't know exactly what it takes, but 20 years is maybe the bench mark, maybe it's 25. You don't necessarily have to expertise or not. You don't have to necessarily do right or wrong. As long as you don't do something wrong enough to get fired. But at the end of them 20, 25 years, you've got a lifetime of a pension to look forward to. And you have a lifetime of medical benefits to look forward to. Do you know what a farmer has to look forward to after those generations of ripping stumps out with their hands and that? And working like hell, sometimes seven days a week. Night and day. You know what they've got to look forward to? They've got to look forward to some hell of medical bills not only from the hard work they did, but as they get older, it's a natural thing. But they've got to pay for it on their own. And there ain't no retirement benefit coming in either. That farm that they broke their neck on for generations, that is their retirement. But people want to steal that.

After knowing all that, you want to try being a farmer and have somebody steal half of that? But to steal it for the reasons here is absolutely ludicrous. A farmer makes a lot of decisions every day. Every day in this operation. But you know where it all comes down to? Every day is right in his wallet, boy, if those decisions ain't right. It comes right out of his wallet. But everybody else, nothing comes out of their wallet. That's why farmers are very concerned. They're a different kind of people than most people. You really want to preserve farmland, we have an excellent county program that got hammered out a number of years ago. And you're

seemingly trying to get into it here now, but it's something that farmers have been telling this Town Board for a number of years besides a lot of other things as farmers bill of rights and so forth. But nothing's really come of it.

And we're fortunate in the Town of Riverhead to have quite a few I forget just what the number is, but I believe it's over 2,000 acres-- "

Supervisor Stark: "3,400."

Robert Hartman: "3,400. That's a big hunk of land. And that's preserved in the Town of Riverhead. Why? Because people had foresight. I wish this Town Board had a lot more foresight a number of years ago and went along with the program when the other towns did. Or pushing the county. Vic said this afternoon, the county is backing off and paying a lower figure on the farms. Why hasn't this Town Board been pursuing that and pushing them? But we have those 3,400 acres that happen all by itself. The farmer was happy, the people were happy. And if you look on the map where that's situated, it takes quite a-- a lot of them are contiguous and it takes big blocks up. But it happened naturally and I've been saying this for years, you can't legislate agriculture. That's something you can't do. And you can't legislate farmers. Farmers are a rare breed. Once you lose them, bye-bye. They're gone. But we need a natural program here, something that the farmer is happy with and the townspeople are happy with and everybody pays the bill.

We don't need a program here where you are going to steal one of every two of our acres, just to subsidize the school district. Who the hell is anybody to steal the farmland off the farmers just to subsidize the school district? If we need a new school, it ain't going to be the farmers that's really causing it. Number one. But the farmers are right in line with everybody else in this town that's going to pay for a new school if it's needed. So I seriously oppose any such movement there just to subsidize the school board. I think agriculture could stay alive in this town if given the right incentive to keep going.

This book right here tells them this don't do it either. You are going to lose it just as fast. And I believe that. This is the wrong way to go. And I tell you, any man that's worth his salt and

worked a day in his life, he's got to use his conscience before he ever puts through an upzoning like that. Thank you."

Supervisor Stark: "Thank you, Robert. Is there anybody else who would like to make comment at this particular time? Is that Bob?"

Bob Gammon: "Bob Gammon. I'm the proprietor of Woodside Farm on Manor Lane in Jamesport, for the record. I have a couple of questions. I probably was remiss in not getting an in detail or in depth study analyzation of this whole proposition as it's being proposed by the Town Board. So I've a couple of quick questions.

The one thing that I'm very unclear on-- "

Supervisor Stark: "Bob, let me just interrupt for one second. This is a draft DEIS which is making recommendations."

Bob Gammon: "Okay."

Supervisor Stark: "It's in a draft form. It's got a long way to go yet."

Bob Gammon: "Okay. I stand corrected."

Supervisor Stark: "It's got a long way to go."

Bob Gammon: "But the questions I have is this. I understand the concept, the receiving zone and the sending zone. The one thing that I'm very unclear on is as far as the TDR's are concerned, you say that each farmer is going to get one credit for every two acres. Is that correct?"

Supervisor Stark: "Yup."

Bob Gammon: "Now that one credit-- I keep hearing this bandied around-- one credit. What is that one credit?"

Supervisor Stark: "Why don't I-- we'll have Rick step in and give a scenario on it."

Bob Gammon: "One credit. What is the intrinsic value of that one credit?"

Rick Hanley: "The graphic depiction of the TDR program is the map to the left, and if the audience can see, the proposed sending area of about 9100 acres after we subtract most of the lands that the development rights have been stripped from, would retain one credit per 80,000 square feet as he suggested. The receiving area which is shown-- or receiving areas which are shown in orange, purple and blue, are essentially a balanced equation between the amount of sending credits and the amount of receiving credits.

The exact value of a credit would not be dictated by the town or by a bank but, in fact, would be-- it's an interest in real property which would be valued by an arms length transaction between a buyer of a development credit in the receiving area and a seller of a credit in the sending area.

The best example or most recent example of any valuation in the Town of Riverhead with regard to transfer of development rights are those lands within the pine barrens. There's a similar idea that was put forth in the comprehensive pine barrens plan and it was suggested that a development credit within the Town of Riverhead which would be moved from the pine barrens to the receiving area such like the receiving area shown on the map in the pink, is worth somewhere between $12,000 and $13,000 per credit. Now that's not to say that that's farmland because these properties were pine barrens properties. But that's the last valuation we've had.

Again, the Town Board is not in the business of valuing these credits. It's purely a business relationship between a buyer and a seller."

Bob Gammon: "Thank you, Rick. Well, personally I agree with the gentleman that just immediately preceded me, 100%. The only way that agriculture effectively is going to be saved on the eastern end of Long Island is to lower significantly the cost of doing business for agriculture. And we all know what those costs factors are and how they are continually multiplying. They talk about low rate of inflation. Don't tell a farmer that we are low inflation right now because it's ludicrous. I mean you look at what the cost is of the machinery and the quipment and the maintenance and the electricity. If you use too much electricity the first reward we get is they want to put us on a demand meter. And there are many other things, too, as far as the prohibitive insurance rates that we have to pay. As a

matter of fact, prior to coming to this meeting tonight, I was reading a very interesting article in the Agriculturist. And it talked of a farmer that farmed in upstate New York, not on Long Island, New York. As you all know, the cost of doing business upstate New York is appreciably less than it is here. Even this gentleman in upstate New York went out and bought, I believe it was 1,800 acres in the state of Missouri because even he in upstate New York, could no longer compete economically and if you as a Town Board want to really do something to benefit the farm community and have an impact as far as keeping the farmers here, what I suggest you do is set up an advisory board with the farmers and let them have some input in some of these things so that we can do things that are going to economically impact us and help us immediately, not 20 years from now or 10 years from now, but now. Thank you."

Supervisor Stark: "Thank you, Bob. Anybody else who would like to make comment at this particular time?"

Carol Brush: "Carol Brush, back again. I have a question."

Supervisor Stark: "Carol, just, bend that right over towards you."

Carol Brush: "Bend it over."

Supervisor Stark: "That's it. Thank you."

Carol Brush: "Mr. Hanley was mentioning something about we would get one credit per two acres. Okay. Obviously, if we don't have two acre zoning, we would get one credit per one acre. Is that correct? So is that initially saying, Bingo, you are cutting us right in half. Does that kind of spell it out a little bit? If we didn't get it from the beginning.

There's also a question you brought up or your first statement was, all the towns around us are on two acre zoning. Okay. Who cares? We live in Riverhead. We have to do what's good for Riverhead. I don't care what's in Southold town."

Supervisor Stark: "I think basically what-- there was reference to other towns on the east end on what they did."

Carol Brush: "Right. But that doesn't mean we have to do it."

Supervisor Stark: "No. We were just bringing up the point that there has been upzoning."

Carol Brush: "Obviously. And that's another point. Since all the towns around us already did it, why do we have to do it? If everybody else is preserving land why are we doing it?"

Supervisor Stark: "What we are doing, Carol, is we are studying something. We are trying to come up with a plan that's not only beneficial to the residents of the Town of Riverhead, the agricultural, the commercial, the entire town. What you are seeing here is a basic start. There is nothing written in stone. Nothing is done. Nothing is going to be done until there is a lot more input on both sides, whether it be with the farm community, whether it be with the commercial community, the residential community, what have you. So don't put the horse before the cart."

Carol Brush: "I can understand it-- I know, but the minute I hear upzoning to two acres it kind of-- "

Supervisor Stark: "I mean there was upzoning up in Manorville when they went up to what? Five acres? Four acres."

Carol Brush: "Yeah, but the way I look at it, I don't think there's a call for it right now. We're not overpopulated."

Supervisor Stark: "That was back in the mid-'80's or something like that."

Carol Brush: "Yes. But it might, you know, we might be a ghost town before we are ever going to be overpopulated. That's my fear. My fear isn't overpopulation right now, but I don't live in a small little town, I don't have to touch my neighbor. You know. What worries me is the cost of the farmland or anybody's land. We're talking farmers right now because they own a lot of land. You know. You don't-- your house isn't on 100 acres. You know. Mine is. So we own a lot of property. But that doesn't make you a bad guy. And it seems that all the other farmers who have a lot of property, the minute this is instituted, it's going to cut their value in half. That's why it's not fair. Because there's no big mad crush of

population. I just, again, would hope-- I know you gave us 90 days, which I appreciate to really, really look this over. And it gets a little complicated with the transfer of developments here and there and that you could do this here and you can't do that. You know, sometimes you overdo trying to do something good and you wind up screwing it all up. I don't think there's too much wrong the way things were going all along these years. I really don't. Thank you."

Supervisor Stark: "Fine. Thank you, Carol. Anybody else who would like to make comment at this particular time? Somebody has their hand up in the back?"

Walter Binger: "Walter Binger, Main Road, Aquebogue. I'm going to try to cover what I didn't cover this afternoon. Other thoughts that have come to me. One of the things I had a problem with in this statement that was written here is that the (inaudible) tourism word that was used-- I find no agra-tourism, people are coming out to look at the grapevines and buy Long Island wines and that's all well and good. The problem being in promoting this, as was pointed out, most of the people that own these grape farms are not farmers, they're investors. They come from other parts and money has come from other means that they invested in these grape farms. I just wanted to put that-- my thought of that on record.

Approximate costs-- I'm going to throw numbers out because I have absolutely no idea-- let's say it costs $200,000 to start up a grape farm. Somebody said to me, why don't you grow grapes, I read about it all the time. And the possibility is not there because you have to, number one, buy about 60,000 posts, and 6,000 miles of wire and $3.00 apiece for roots and it just doesn't happen over night. Without some kind of other money."

Supervisor Stark: "I think you're a little light on that one like cabbage this afternoon."

Walter Binger: "Okay. I just throw numbers out, you guys put the right ones in. I think we should recognize and a thought that's always occurred to me is that farming is no longer a regional market; it's a world market. Prices of cauliflower for years past, you would spend in cauliflower at Thanksgiving time, they would give you $18 to $25 a crate. It's a hot market; everybody wants it. It's a supply and demand business. Right now they can ship in cauliflower from

California, summer cauliflower basically, with probably 12 hours notice. So if you could send in cauliflower to the market, it hits the market on a Sunday night and receives $18, by Monday afternoon, there will be a flood of California cauliflower at a lesser price. The price does not sustain all the peak periods like it used to.

Potatoes market, of course, I've never been in the potato business nor has my father-in-law been in the potato business nor my (inaudible) in the potato business. The Supervisor is. Potatoes are now grown all over the east coast. They are grown all the way down to Florida. We have what's called eastern potatoes. Eastern potatoes most people buy the bag and think they're buying Long Island potatoes. They are not necessarily Long Island potatoes. They can come from Delaware, they can come from down south. I think this should be recognized. The price of potatoes is not going to double and triple should there be a shortage of potatoes. They are going to find them someplace.

Part of this, we always stick, and what sticks on me because it's most important to myself because I've been working for my farm, basically every penny I've earned since 1981 has paid for something on the farm, whether it be the mortgage or the taxes, or whatever. I lost my train of thought there. As I did before.

What I would like to say-- I lost my train of thought on that one. I would like to say-- oh, part of this recommendation-- we never get past this zoning, okay. Now, I was at the informational meeting the other day-- not everybody in the audience was there. Basically what I see this is doing-- correct me if I'm wrong-- we're halving all the zoning in the town of Riverhead, whether it be industrial, whether it be Residential C. Whether it be farmland or whether it be Residential A. We're halving the zoning in the town. The transfer of development rights that we are getting after this, again, correct me if I'm wrong, is one credit per two acres. After you half the zoning, which is the most important part of this, I think, it's a multi-million dollar deal here, we only are allowed one credit. Now, whether that one credit gets sold to somebody who uses it for industrial land for sanitary purposes or one credit, it gets sold to the receiving areas to build another house, it is still only one credit per two acres where we basically have one credit per one acre now.

Getting past that point, though, part of this recognize an addition of farmstands, you've added farmstands to certain areas of town, allowing it. I don't think that happens to be as great a sounding deal as it is possibly because the existing farmstands now have a certain volume or level which they have achieved. By adding more farmstands, you're only going to increase the volume of the existing farmstands. You are not going to bring twice the amount of people out because you build twice the amount of farmstands. I just think that should be recognized.

And, for the record, if anybody wonders, I don't own a farmstand in the Town of Riverhead.

That was just some of my thoughts, again, thank you."

Supervisor Stark: "Thank you. I can only remember one day of 124 cauliflower. Safeway bought it. Remember that year? Joe, so we can get it on the record."

Joe Gergela: "I'm Joe Gergela from the Farm Bureau. Just a point of clarification about the farmstand issue. This is something that has to be dealt with as either part of this or stand alone. Basically, the problem is that the current zoning code of the Town of Riverhead, that farmstands are not permitted and technically that if anybody wants to have a farmstand, they must go to the ZBA for a variance in order to get a farmstand.

We want to amend the zoning code and codify that anybody that has farmland, you know, that type of zoning, that as a right you're able to have a farmstand, come down to the town and get a permit, be able to construct a farmstand. Now, we have to work with the Town Board and Building Department, the Planning Board, and the Ag Advisory Committee to figure this out.

But it is something that's come to our attention over the last couple of years and, like I said, it's a stand alone issue, not necessarily part of this discussion."

Supervisor Stark: "Thank you, Joe. And that's also a farmstand where the product is grown on the farm or as we say in the code I believe right now, majority of the product. Is there anybody else who would like to make comment?"

Faye Anderson: "I'm Faye Anderson. I live on Mill Road in Riverhead. We are farming. We also have a farmstand. In 1987, I have the papers that was a report to the Town Board on a farmland study for the proposed recommendations. One of the sentences said: The need to reduce the ultimate population as stated in the farmland study and it has been recognized that a reduction in ultimate population potential at this time, they had approximately 140,000 which we found out was way out of whack-- to 65,000 persons is warranted.

Now, according to the figures, 10 years later, on your table 7, your potential number is-- well, somewhere in the neighborhood of 75,000. Barbara said 75,000. In 10 years time, we are not that far off of the recommendation that they used 10 years ago when they wanted to upzone the land. That was their proposal at that time. They are citing the same reasons. The water protection. The county admits one acre housing produces less nitrogen than one acre farming but they are still pushing two acre zoning.

The western towns have one acre of half acre zoning. Are they suffering any detrimental effects from their nitrogen levels? They're still building. And how often have we heard that Southampton and Southold have two acre zoning? But Southold has another underlying fresh water problem which is part of the reason for their two acre zoning. Southampton has two acre, five acre, whatever. But, I know someone over there who gave each of their children approximately an acre lot to build a house when they were going through this upzoning.

And the consequence of the whole thing was that the smaller lots became so valuable because people could not afford the larger lots, so these children who owned the smaller lots in the future because they were in school, they weren't ready to build-- couldn't afford the taxes on them. The taxes rose so much on the smaller lots that they couldn't afford them so they ended up selling the lots and moving out of town. This is the consequence of some of the upzoning.

Southampton is certainly not observing their own zoning since they downzoned for affordable and subsidized housing.

So far as the Riverhead school district is concerned, which is another reason the population, etc. Southampton and Brookhaven both have affordable developments in the Riverhead school district. Southampton is in the process of building more. The last report I

and was that they were only paying about 30% of the cost of the education and upzoning in Riverhead town is certainly not going to solve this problem one bit. What you are doing is you want the landowners and the farmers in Riverhead town to pay for this. And it is not going to solve the problem. You aren't stopping it that way.

We all know that eventually we are going to have to build new schools, whether or not you upzone. But right now, the school population they are claiming there's approximately 200 students less than they projected. I think this has to be taken into consideration.

1987. There were suggestions that the town implement one acre zoning across the whole town. This was suggested in lieu of the two acre upzoning, that it would have been equal for everyone and the town should eliminate all downzoning. A TDR program of one unit to one acre could have been implemented then. But the town downzoned--and it really makes me angry when I can throw a rock almost across the field and hit someplace that the town downzoned for the purpose of affordable housing. And they want us to go to two acre housing.

Apparently the county won't accept this proposal on the one for one or what because they're talking about the groundwater quality. But this is the same county that raided the pine barrens funds. The same county that claims to put OTB funds into out educational system. Where is the money going?

Two days ago, the Governor announced after 25 years he would see to it that the lottery money would go to education. I actually resigned when I saw this on TV. But I really want to know why the town officials, the county officials, etc. aren't pressuring the lottery OTB systems instead of our landowners and our farmers to get some of this money for our schools. And I just ask you people, don't be a figurehead for your county government because they want us to pay for what they want.

The farmer puts everything into his farmland, how well I know. This is his investment in the future for himself, his family, and the town. If a person invests in a store or a building, he can depreciate part of that investment over a period of time, thus recouping some of the tax dollars. If one invests in an IRA, it's a tax deductible investment until withdrawal, but the farmer pays

deral and state income tax on the money before he can invest it in e farmland. In other words, he pays his taxes first and buys the nd with what he has left. Only the mortgage interest-- that's the ly tax deduction he can get. I feel upzoning definitely hurts the uity of the farmland, it values the land, and demoralizes the rmer while you think you are protecting this town for the future, only takes a vote of three people in the future to totally reverse is whole decision and have some speculator, real estate broker, developer realize windfall profits.

One obvious fact is there is no set administrative plan in place r the transfer of development rights. The owner is left to flounder. e real estate brokers and laywers will love this. Additional arges of percentages for legal work, I can hear it now. They'll ll you how much it's worth now, until the time comes to sell and en he'll tell you how little it's worth.

Unless anyone who has an estate problem on such property, how ll it be appraised and how long will it take to get legal matters ttled if one decides to sell the rights? What agency or official ll handle this and keep track? Will it be subject to delays ecause sales will be based on site plan approval and people are too sy to deal with the workload? Can you-- you cannot pass this or y kind of a TDR program unless you have some type of a definite ministrative plan in place first. You have to have a way to deal ith this. The farmer has been preserving agriculture for all this me. Let him continue without further problems. He already has ough restrictions and restraints and, yes, those same farmers have intained agriculture for the last 10 years, since the last proposal me up without any-- the proposal was never passed and none of the visions were passed for agriculture.

There's nothing more demoralizing to a farmer than a threat to e farmland inequity. If the town and county are committed to riculture, they should purchase the rights at a fair price. The rmer is already committed to agriculture, but agriculture has to an economically viable entity in itself to survive. And I went rough this estimated potential population bit, and there is a way the town, in conjunction with county, state funds, etc., committed purchase the rights from something like 250 acres a year for the xt 20 years, you could purchase the development rights of 5,000 res of land and this would reduce your population potential by

proximately 18,000 or so, somewhere within range of what you are oking for. And it can be done and it doesn't have to have any up-ning tied in with it. The money is available if it's used properly d done properly. Thank you."

Supervisor Stark: "Thank you, Faye. Is there anybody else who uld like to make comment at this particular time? If not, I'm ing to call for a five-- all right, Lyle. And then I'm going to ke a five minute recess because I want to confer with Phil and Joe r a second."

Lyle Wells: "Just a few additional comments. This afternoon basically dealt with the technical issues within the GEIS and then e comments on those. The first comment. We, as the agricultural mmunity and those of us involved with the Farm Bureau and ecifically need a clear guidance from the Town Board in how gressive a farmland preservation program we were to pursue in this own. Basically I'm looking at a town program or are we looking at town mechanism as a conduit for the Suffolk County program dentifying the properties and suggesting those are helping to move hose forward within the Suffolk County program."

Supervisor Stark: "I think right now, Lyle, what we've done, e've appointed a whole local farm select committee, I forget-- "

Lyle Wells: "Right."

Supervisor Stark: "-- three basic members that we already have m and some other people. I think we are going to do in cooperation, at least this was the philosophy to start out with after the town people allowed us to do the $2,000,000 bond issue, which we have applied to be in the state requirements and the federal requirements so that we would probably end up with $6,000,000 plus. In giving a rough figure of around $7,000 an acre, you can figure out how many acres we would be able to buy. So it would be just shy of 1,000 acre."

Lyle Wells: "Okay. That farm select committee needs to know a specifically whether we want a town program administered and con-trolled entirely by the town or are we going to work in conjunction with Suffolk County?"

Supervisor Stark: "I think the town farm select committee would robably use the county farm select committee as a conduit for pproval because you have to get into appraisals. One of the problems nd, Jake, you might want to make comment on this after, with the ounty fund program our development right program was, they got tied p in appraisals. The appraisals cost like any real estate market oes up and down, like a roller coaster, some months you may be worth ore, some less. But County Executive Robert Gaffney has promised e that that process is being sped up and we're in the process of rying to make that a less arduous task. It doesn't take a rocket cientist to tell you what the development rights are worth. And hat's-- "

Lyle Wells: "I know the problem has been with the appraisals."

Supervisor Stark: "The county appraisal, which they have to do. I mean, Jake, I don't know how many acres you have that have already been approved and actually what's been holding it up is the appraisals and had they been done in expedient fashion, I think you would have found a lot more land for development rights purchase in the Town of Riverhead. We are working in that direction, too, but I think, and the Board concurs, that we would be working cooperatively because whatever we spend in the Town of Riverhead, it's going to matched by county and state and federal. So, we're trying to stretch our dollar as far as we can."

Lyle Wells: "Right. I understand that and working with the matching funds and stuff like that, but in discussion with the ag leaders in this community, I get the feeling that we would prefer to see a town run program administered by the town rather than in conjunction with the county. For the simple reason that the county has imposed possibly stiffer restrictions, regulations on those who participate in the county program which we, as a town, may not feel are warranted. So, again, just a comment."

Supervisor Stark: "And, again, also the 1.75 billion clean air, water bond act if you recall, there is considerable amount of monies available in that and just recently the Board, the IDA Board has seen fit to bring Monique Gablenz back as full time and she will be working specifically on that because we can't afford to let any of that money go by. We meet every qualification that's set forth. They are now developing the regs on that and, hopefully,-- "

Lyle Wells: "We just feel that more monies could be generated there was a distinct town program with funds which could be tched county, state, federal, as well as the county program which uld also be matched."

Councilman Prusinowski: "I think the key thing here though is e formulas that are used to arrive at the development rights price. w, I was on the committee starting in 1979, the development-- the rights for the properties was running around $500 to $700 per re. The full payout development rights were around $9,000 or 0,000 on the open market and you deduct the two and you got that gure. Today, I've been told by farmers that the bottom appraisal s coming in at $3,000 to $10,000 per acre and I could never-- we rew potatoes-- there's no land out there that you could buy for tato production and what the Ag & Markets Law says and the way the harter was written for the Suffolk County program was that the ttom appraisal number was what is the land worth for agricultural roduction only. Wally Binger reminded me of a conversation-- I'm ying to get this out. What I meant to what is the benefit of being the program for the future was that in the long run, 20, 30 years rom now, you won't have these country estates or it won't be farmers, t will be open space.

But we have some of them today in Riverhead but it's unfair to se a recent sale that the development rights-- I mean a property tripped of the development rights, is selling for $7,500 an acre and the appraisal is coming in, they try to subtract the two, make an offer to the farmer, $500 an acre, and when I see a list of 15 farmers that turned down the county program, that's where I thought a town program could address that issue more realistic."

Lyle Wells: "No question."

Councilman Prusinowski: "And we can get more people to sign up."

Lyle Wells: "Yup. There's no question."

Councilman Prusinowski: "And we can get more people to sign up." Because that's the real problem with the appraisals. And I sat on that committee for 10 years. I know with the Kellers, it broke my heart. I fought and fought and fought with Greg Blass and a few of the officials. We got a lousy 10% more for that family and they

ded $2,000 an acre or more to pay the mortgage off and everything e and they just wouldn't budge in the county. So I'm with you on t 100%."

Lyle Wells: "Okay. Another comment. Agriculture is not as morous or prosperous as it may seem from the outside. There are people gearing their careers towards agricultural production. ever, this town has an asset that is the envy of many agricultural as in this nation. This asset is the young generation of farmers hin this town. The Jeff Rothkamps, the Mark Zaweskis, the Phil mitts, the Bobby Andrews, (phonetic) just to name a few. What ll change these young growers minds as to the future of agriculture re? Number one, fear. Fear of unpredictable weather, overregulation d loss of capital, both value and actual. To avoid the loss of ese young innovative farmers, we, as a town, need to have an titude from the Town Board and all the departments within the Town ich supports the continuation of these family farms.

We feel that an aggressive pro-agricultural stance will not only nefit our farmer landowners, but ultimately all the residents thin the town. Thank you."

Supervisor Stark: "Thank you, Lyle. If we could, I would like o take a recess for about 8 to 10 minutes and we will reconvene at :15."

Recess

Meeting re-convened at 8:24 p.m.

Supervisor Stark: "Ladies and gentlemen, is there anybody else who would like to make comment at this particular time? If not, in cooperation and the spirit of what we are trying to accomplish in the Town of Riverhead, we will extend the comment period or the comment period on the GEIS for 60 days, with a recomment period of 30 days, which will give us 90 days. I believe we've made great strides forward; I think this Town Board can work very cooperatively with the Farm Bureau and the expertise you are going to supply at the other side, 'cause two heads are better than one and there are other things that also will be addressed that will not particularly affect the agricultural industry but it may affect other properties in the Town of Riverhed.

So with that, I'm going to adjourn-- a recess for 60 days and will aggressively work cooperatively together, Phil, and I would e to get together with you and Joe as soon as possible so we can some time patterns."

Charles Cetas: "Is there going to be more comments?"

Supervisor Stark: "I can't hear you, Charlie."

Charles Cetas: "Is there going to be more comments tonight. I uld like to make a statement."

Supervisor Stark: "Sure. Make a statement right now. That's at's going to happen after Charlie's finished reading his digest."

Charles Cetas: "It's not that long."

Supervisor Stark: "Well, I hope not. Charlie read us a book e night."

Charles Cetas: "First of all, I would like to preface my emarks by saying that the North Fork Environmental Council is happy hat you have extended the comment period on the impact statement for his action and also the North Fork Environmental Council would like o have a copy of this impact statement and I also would like to say hat the North Fork Environmental Council is sympathetic to the armers in the Town of Riverhead, the Planning Department in the Town f Riverhead and we are also understand the very great concerns that he farmers have about the upzoning expecially recommendations of his action and we believe that, you know, whatever form this program nds up taking, that basically the majority of the population of the own of Riverhead, including the farmers, are going to have to support it if it's going to work. Be that as it may, I will read my prepared comments.

The North Fork Environmental Council is here today in support of most of the Riverhead Rezoning Committee's recommendations to control population and preserve farmland in the Town of Riverhead. Bold measures are needed now to save Riverhead from suburban sprawl, overpopulation, and high property taxes that would inevitably result from Riverhead's present zoning.

The NFEC is pleased to see that these recommendations include rezoning the Agricultural A and Residence A districts from one acre to two acres and Residence C district from one-half acre to one acre. The NFEC also wholeheartedly supports the Riverhead Town purchase of development rights program, the farmer's bill of rights, and the use of the Community Development and Industrial Development agencies to support Riverhead's agricultural industry. The NFEC urges that the Town Board approve these recommendations as soon as possible.

However, the NFEC has a few concerns about the farm market concept. The NFEC believes the farm market amendment to the agricultural A district as it is now written could lead to a hodge-podge proliferation throughout the Town of permanent retail structures of varying sizes from small to mega. The NFEC believes that operators of farm markets and farmstands should be limited to local producers of agricultural products. The NFEC also believes that the Town should establish a certification and enforcement procedure to ensure that the products sold by farm markets and farm stands are actually grown or produced on lands within the five east end towns of Long Island.

The NFEC cannot support the transfer of development rights program as it is now written and asks that it be tabled. The NFEC is unalterably opposed to the lands north of Sound Avenue being used as a designated receiving area. The NFEC believes that all the agricultural lands in the Town of Riverhead, including those north of Sound Avenue, should be preserved to the greatest extent possible. The historic and scenic character of the Sound Avenue corridor, as exemplified by Hallockville, must not be ruined by condos and golf courses. The unique and globally rare natural features and habitats of Riverhead's north shore bluffs, such as the dwarf beech woodlands, must be preserved for future generations to enjoy. The possibility of alternative receiving areas, perhaps the Grumman facility, should be studied.

Despite these few concerns, the NFEC applauds the members of the Town of Riverhead Rezoning Committee and all those involved for their hard work and many hours dedicated to formulating these recommendations. The future of Riverhead is at stake. Riverhead is very fortunate to still be able to avoid the same fate as the west end towns. Thank you."

Supervisor Stark: "Thank you. Charlie, if you've got a copy that, leave it. Again, we will leave this comment period open r 60 business days as they lay on the calendar. And we will close recess the hearing as of now. Thank you."

Letters requested by residents to be put in the permanent record

"Dear Mr. Stark:

Please accept this letter as testimony to the issue of the roposed upzoning of property to two acres. Please make the contents f this letter part of the public record on this matter.

I have been a farmland owner in the town of Riverhead since 974. My parcel of 17.275 acres is located on Sound Avenue in aiting Hollow. During my period of ownership, I have maintained on ime payment of continuously escalating property taxes whose rate of ncrease has significantly exceeded inflation. When the farmland reservation program was enacted, I applied and was rejected for articipation by Mauri Semmel because he said the "property on the orth side of Sound Avenue was designated for residential development n the town's master plan." I continued paying down the two mortgages nd my property taxes at full value. I endured this economic challenge ith a view that the value of the property would help support my eventual retirement and the education of my son.

Your proposal now to significantly devalue my property by hanging to two acres zoning would result in enormous economic depravation and personal finalcial adversity which at my age I could not possibly recover from. Do you plan to provide restitution to land owners to offset this property devaluation? I am also appalled that no formal announcement other than I assume by publication in local newspapers was ever issued in writing to the town taxpayers and that I must be appraised of a pending action with significant economic impact by the Farm Bureau.

Based on a total lack of knowledge regarding the justification and causal factors associated with this proposal, I can only conclude that this is an ill conceived plan whose financial impact to the constitutency that has supported Riverhead's administrative costs for decades is catastrophic and I ponder who will gain by its enactment.

I plan to be proactive in communicating my views on this and ake whatever other action would result in equitable accounting for y many years of taxpayer support.

Very truly yours,
William K. Bethauser."

"From Carl Carter & Karen Terry Carter
To: Riverhead Town Board
Attention: Barbara Grattan x260

We are responding to a letter from the Long Island Farm Bureau, Inc. regarding the zoning code proposal, and the hearing scheduled for today at 2:00 P.M.

As we live in Florida, we are unable to attend this meeting, we wish to have the following letter read at both the hearing today, and the meeting of 4 February, to express our feelings about the proposed change.

Thank you.
Sincerely,
Carl & Karen Carter
503 Trade Winds Drive
Indian Harbour Beach, Fl. 32937
Tel & Fax # 407-773-7390

To: Riverhead Town Board

Regarding your intent to change the zoning of farm property to two acre minimums.

1. This change, if enacted, will significantly reduce the value of certain parcels of land which are of such a size that the two acre restriction would no longer permit the best and most valuabl use of the land. For example, parcels of less than 11 acres, the proposed minimum agricultural size addressed in section 2. para (ii), would lose the opportunity to realize a gain on the remaining land which exceeds the 2 acre division points of 2, 4, 6, or 8 acres, or would probably realize a lessor value for the surplused land as opposed to being able to maximize the number of lots at the current one acre minimums. Frontage requirements of 200 feet could preclude

e owners of road frontage property of less than that size to ilize it for road stand sales purposes. In addition, when sub- vided, the per acre value at two acre minimum would be significantly ss than at a one acre minimum. This in effect, is financially nalizing the existing landowners by limiting their options for ture uses. An example is where a smaller parcel would be difficult subdivide and leave to future generations, children/grandchildren, ngle acre parcels which could be built upon by them.

2. The town offers no compensation for this loss in value, ther in direct compensation or via tax relief as an incentive to t the land remain in its present state.

3. This issue, while it may present an idealistic goal, seems merely put off into the future the inevitable fact that the land ll be used for that which it is best suited, be it agriculture, using, or... . When the land is no longer useful for agriculture, r what purpose are the owners to use it? The proposal to immediately ange the zoning is premature and unreasonable from the current ndowners perspective.

4. The proposed prerequisite of not taxing farm buildings rely shifts that portion of the tax burden onto others. This is so an unlikely perk, since it probably will require state legislative tion.

5. In this rezoning proposal, there should be some flexibility landowners to realize goals other than those of the town board, d this proposal should be put to a vote of all property owners, rhaps this vote should be limited only to those whose lands would affected rather than other special interest groups.

Since the proposal as currently constructed leaves much to be rrected and addressed, we oppose any further limitations and changes ich are being proposed which affect our use and the potential lue of our property.

Respectfully submitted,
Carl Eng Carter and Karen Terry Carter
Owners of property located on Sound Avenue, Baiting Hollow."

Public Hearing adjourned: 8:30 p.m.

Barbara Grattan
Town Clerk