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Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, February 5, 1985 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Vincent Artale, Councilman
Victor Prusinowski, Councilman
Louis Boschetti, Councilman

Absent: Richard Ehlers, Town Attorney

Supervisor Janoski called the meeting to order at 7:30 p.m.

Supervisor Janoski, "I would like to ask the Boy Scout in the room to step up to the microphone and lead us in the Pledge of Allegiance."

Boy Scout Sal Gagliardo recited the Pledge of Allegiance.

BILLS

Bills submitted on abstract dated February 5, 1985 as follows:

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.
RESOLVED, that subject to complete audit, the following bills be approved for payment.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The heads of the Departments.... Well some of the heads of the departments are with us this evening should you have any question of them. Reports Mrs. Deputy."

REPORTS

Building Department-Month of January, 1985.	Filed.
Tax Receiver-Collections as of January 23 and February 1, 1985.	Filed.
Recreation Department-Parking permit report for 1984, attendance report for December, 1984 and Annual Report for 1984.	Filed.
Conservation Advisory Council-Minutes of January 10th Meeting and Annual Report for 1984.	Filed.
Police Department-Abandoned vehicle auction report.	Filed.
Riverhead Fire District-Annual Fiscal Report for 1984.	Filed.
Town Clerk's-For month of January, 1985.	Filed.
Open Bid Report-Traffic Signs.	Filed.
Open Bid Report-Used Pickup.	Filed.
Open Bid Report-Central Engineering Vac-All.	Filed.

OPEN BID REPORT - TRAFFIC SIGNS

Bid Date: January 29, 1985 at 11:00 a.m.
2 Bids Submitted

#1	NAME:	<u>TRAFFIC SAFETY (Leonard Dunn)</u>
	ADDRESS:	<u>70 LAMBERT AVENUE, COPIAGUE, NY</u>
	TOTAL BID:	<u>\$13,446.24</u>
#2	NAME:	<u>CAPITAL HIGHWAY MATERIALS, INC.</u>
	ADDRESS:	<u>ROUTE SIX, BALDWIN PLACE, NY</u>
	TOTAL BID:	<u>\$11,413.08</u>

OPEN BID REPORT - USED PICKUP

Bid Date: January 29, 1985 at 11:30 a.m.
One Bid Submitted

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REPORTS Continued

#1 NAME: KINNEY CHEVROLET OLDS
ADDRESS: MAIN STREET, RIVERHEAD, NY
TOTAL BID: \$8,850.00

OPEN BID REPORT - USED CENTRAL ENGINEERING VAC-ALL

Bid Date: January 29, 1985 at 11:15 a.m.
2 Bids Submitted

#1 NAME: SAM ALLEN'S MODERN MACHINERY, INC.
ADDRESS: ROUTE 25, P.O. BOX P, CORAM, NY
TOTAL BID: \$7,000.00

#2 NAME: JET VAC, INC.
ADDRESS: 135 SOUTH STREET, HACKENSACK, N.J.
TOTAL BID: \$19,500.00

Supervisor Janoski, "Thank you. Applications and Petitions."

APPLICATIONS AND PETITIONS

North Fork Plumbing Supplies-Site Plan for warehouse, 1414 West Main Street. Filed.
Sid Frank-Site Plan for stores on Pulaski Street. Filed.
Riverhead Honda-Site Plan for retail sales stores on Route 58 and Harrison Avenue. Filed.
L.P.B. Wading River, Inc.-Site Plan for office building, Route 25A. Filed.
Ali Agarabi-Petition for extension to water district extension #23. (Also in Water Minutes) Filed.

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

Wading River Civic Assoc., 1/24/85-Inquiry re: available state funds for solution to water problem and status of security at chemical compound company. Filed.
Tommasini, 1/29/85-Requesting that \$50.00 dump permit fee be applied to two trucks. Filed.

CORRESPONDENCE Continued

Conservation Advisory Council, 1/31/85-Comments re:
Broad Cove Draft Environmental Statement. Filed.

Elizabeth Muller-Submitting resignation as part-time
driver. Filed.

Stanley Cohen, 1/21/85-Demand that site plan be approved
pursuant to section 108-38 of Town Code. Filed.

Suffolk County Dept. of Health, 1/14/85-Comments and recom-
mendations re: Broad Cove D.E.I.S. Filed.

Town of Shelter Island, 1/21/85-Copy of resolution supporting
joint opposition to police suit. Filed.

Greg Blass, 1/24/85-Re: County's interest in purchase and
conversion of substandard housing. Filed.

Wildwood State Park, 1/30/85-Requesting clarification re:
application of dump permit fees. Filed.

L.I. Dietetic Assoc., 1/30/85-Request for proclamation desig-
nating March as "National Nutrition Time". Filed.

Tooker and Smith, 2/1/85-Withdrawing application of Shamrock
Properties. Filed.

Dept. of Army-Requesting additional information re: Broad
Cove Draft Environmental Impact Statement. Filed.

Supervisor Janoski, "Thank you. Under Unfinished Business:"

UNFINISHED BUSINESS

Old River Road Recreational Park-Change of Zone for Recrea-
tional Use. "As far as I know, that application is dead."

Robert Celic-Change of Zone and Special Permit for Nursery
in Aquebogue. "Once again, that should be withdrawn."

Kimbroke Enterprises-Special Permit for condominiums on
Sound Avenue. "That is presently under consideration by
the Planning Board."

Joseph Trocchio-Special Permit for mobile home in Manor-
ville. "Once again, that has been denied by the Zoning
Board of Appeals."

August Romano (Valmont Homes)-Site Plan for office build-
ing, Roanoke Avenue. "That is presently before the Town
Board."

UNFINISHED BUSINESS Continued

Stanley Cohen-Site Plan for retail store and office, Route 58. "That is presently under consideration by the Town Board."

Broad Cove-Draft Environmental Impact Statement pending. "We are going through the waiting period on that application."

Bruce Militello-Special Permit for professional building Route 25, Aquebogue. "That is approved."

Henry Taca-Change of Zone, Res. C and Ind. B to Res. A, Fresh Pond Avenue. "That is under consideration by the Town Board."

George Nunnara-Site Plan for storage of gas/welding supplies. "We are awaiting further information from the applicant."

Steve Tsontakis-Site Plan for gas station facade, Rte. 25 and Route 25A. "We are waiting compliance with the provision of the code."

Supervisor Janoski, "There are some 7 minutes remaining. What I would like to do because of the meeting where we talked about the Peconic River and littering, (you came into the room after we had had the public hearing) is there anything you would like to add to that? That was your project was it not? Why don't you stand up and say something about it. We can call it out of order and perhaps pass it."

Sal Gagliardo, "Well, my project is going real well and I appreciate all the help that you guys have helped me with in passing this Town Code. It's going alright. It should be all cleared up and by the Spring it should be finished. We just hope to make the Peconic River better for visitors to see so keep the name of Riverhead clean."

Supervisor Janoski, "Thank you. I would like to call that resolution number 121, if you could take that out of order."

Councilman Boschetti, "As a point of information before I present this. I would just like to point out to the audience that the scout that was just at the microphone and who lead us in the pledge of allegiance at the opening of this meeting is also the scout whose eagle project lead us to discover an omission in our littering ordinance where littering was prohibited. The omission was that the Peconic River was not specifically called out as being a place where you could not litter. And his name is Sal Gagliardo and he is accompanied tonight by his mother Kathy. Thank you for all your help on this project."

RESOLUTIONS

#121 RESOLUTION RE: ADDITION TO SECTION 48-10 OF THE RIVER-HEAD TOWN CODE, "LITTERING PROHIBITED, PECONIC RIVER".

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

WHEREAS, a public hearing was held on the 15th day of January, 1985, to hear all interested persons with regard to the proposed addition to Section 48-10 of the Riverhead Town Code, Littering Prohibited, Peconic River, and

WHEREAS, all those persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the following addition be made to Section 48-10 of the Riverhead Town Code, as follows:

48-10. Littering prohibited.

A. No person shall throw, deposit or abandon litter on any beach or adjacent property or waters, along the Peconic River, or any creek, inlet, pond or river, whether public or private or whether owned or not owned by such person.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Ok. There are four minutes remaining before the first scheduled public hearing. I would recognize anyone wishing to be heard. Yes sir."

Remy Bell, Riverhead, "As representative of the Polish Town Merchant's Association, we would like to know if we can get a copy of Sid Frank's site plan for proposed stores on Pulaski Street. Since we are the merchants in Polish Town and they are on Pulaski Street, we think we should have a little input into this as far as looking at it because we do feel it would effect the street as it is."

Supervisor Janoski, "That is an interesting question raised. I think Mr. Sidney Frank is in the room and I would suggest that if he wants to give you one, he would. The application is on file in the Town Clerk's office and it is open to public scrutiny anytime."

Remy Bell, "Ok. I must say that, personally, as well as most of the merchants, I'm looking forward to seeing something done with that corner other than it has been."

Supervisor Janoski, "I should point out that Mr. Frank's application for a site plan has been reviewed by the Town Board and it has met our requirements as far as site plan, zoning and building code."

Remy Bell, "Ok. Thank you."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "There are some two minutes yet remaining before the first scheduled public hearing. Dick."

Dick Benedict, Fanning Blvd., "I'd like to know how Stanley Cohen's application would be affected if the zoning change passes to PB on Route 58 since I believe that was submitted during a moratorium?" It's about his third or fourth site plan on that piece of property."

Supervisor Janoski, "Stanley Cohen's property is in the moratorium area which is not PB. It's Office Service. That's what we're having the hearing on this coming Monday. It would be affected in that anything placed (any structure) would have to be put to the use which would confirm with the uses of the new zone after we established it."

Dick Benedict, "That would not be retail stores the way it stands?"

Supervisor Janoski, "No. The part of the process of course is that we have a hearing and I don't know what will develop as part of those hearings but there may be some adjustments made as far as the allowed uses. But we have been working on this for quite some time and we (the members of the Board and our planning staff) have pretty much come up with what it is that we had in mind and we will present that to the public and see what kind of input we receive."

Dick Benedict, "Thank you."

Supervisor Janoski, "Let the record show that the hour of 7:45 p.m. has arrived. The Deputy Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, February 5, 1985 at 7:45 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The granting of the right to use streets, highways, and public places by community organization and individuals.

Supervisor Janoski, "Thank you. The purpose of this public hearing (in the absence of the Town Attorney) is that during the course of the year there are various events which are sponsored (for example) by the Polish Town Civic Association which holds the big fair on Pulaski Street and the area, the Country Fair which is held in the parking lot to the rear of Main Street or the Jamesport Fire Department which has a bazaar in the summertime. What we do is have a hearing which encompasses all those uses over the course of the year to receive input from the people but it allows the opportunity for those present to comment on the use of public streets and facilities for those types of uses, concerts and other things that are sponsored within the town. Is there anyone who has any comment on this? That being the case I declared that hearing closed."

7:45 PUBLIC HEARING CLOSED AT 7:47

Supervisor Janoski, "Let us see if anyone wants to be recognized before we go into the agenda and the resolutions. Mr. Kasperovich."

William Kasperovich, Wading River, "Gentlemen, sorry to say that I'm going to have to insist on being a pain in the back side to you gentlemen. Until you put the water problem on Unfinished Business, I'm going to get up here every possible opportunity I can. H2M has had this problem 2 whole years and we're not one step further ahead then we were 2 years ago. You gentlemen have chosen H2M. You have evaluated his reports and you still contend that this is the man to look after our best interests. I'm beginning to question this because all I have seen out of that office is just a further expansion of the Northfork water study. I haven't seen one laboratory test and I have not seen one laboratory evaluation or appraisal of what the Health Department has put on paper. I have seen no evaluation of what the current procedure of the Health Department is going to do for us. And when I see Sag Harbor get a million bucks for a handful of people when we have thousands of families involved, I am sorry to say that I'm going to have to insist that you gentlemen put this in the forefront and you publish it and you give it to us straight. Not via the editing of the newspapers. I'm sorry to say that they are giving us shaded pictures. The editors are themselves, evaluating without the responsibility or authority. Now, I know it's a difficult problem. I know it's a hard problem. I know it brings to a sensitive area your political positions. But when health and life is involved, nothing takes priority and so I'm going to be here until I see the proper, honest, open approach to a problem that has been shuffled from corner to corner with the assistance of H2M for the last 2 whole years. And this has got to come to an end before we start getting hospital reports, before we start getting health reports from people actually affected. Number 2 item: I think it's high time that the public got some reports on what is being done for the town by the fire inspectors. We've got a full time fire inspector and we're no further ahead then we were without one. By this time, nothing should come to us as a surprise in this township. We should have full consciousness of everything going on in when the manufacturing companies handling of different chemicals in many, many aspects. They could very well be defined as not fire. But in today's society and the duties of fire inspectors are just about all encompassed and I think it's up to you five gentlemen to see that the man does the job that he is there for. I brought this up before and I'm going to bring it up again. Praying to God that we don't have any disaster that will make us realize the importance of such a man and such a position in our township. The third item (I think and I've said before) since our Highway Superintendent is an elected official, that he should be up here in the forefront with us. I think he's done a commendable job to date. I think we've seen work by the Highway Department that we have waited for in some places 30 years. And I do not believe that the papers or the Town Board has given our Highway Superintendent his proper due and that is considerable merit and commendation for his efforts. You have not supported him as

PERSONAL APPEARANCES ContinuedWilliam Kasperovich, Continued

you should. You've boxed him in on different areas and at the same time you haven't properly evaluated the needs of the township. The Highway Superintendent has to go through you people for (one of these items is) equipment. We have some out moded equipment. We have some ancient equipment. And if the good Lord doesn't favor us, and we have to go out there and do some big work, we will find ourselves lacking of the equipment, modern, up to date, dependable equipment. Thank you."

Supervisor Janoski, "Thank you Bill. There's about a minute remaining before the second public hearing. Was there anyone who would like to address the Board? Let's do one of the resolutions."

RESOLUTIONS

#89 THE ESTABLISHMENT OF A PROPOSED EXTENSION TO THE RIVERHEAD WATER DISTRICT IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO BE KNOWN AS EXTENSION NO. 29.

(See Water District Minutes)

Supervisor Janoski, "Ok. Let the record show that the hour of 7:55 p.m. has arrived. The Deputy Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, February 5, 1985 at 7:55 p.m. at Riverhead Town Hall to hear all interested persons regarding: The Creation of Section 108-110 of the Town Code, Business PB, Non-Floating Districts.

CORRESPONDENCE:

Suffolk County Dept. of Planning, 1/29/85
Requesting additional information and recommendations of the Riverhead Planning Board.

Letter was mistakenly read into the record and the Supervisor explains the error.

Supervisor Janoski, "The letter which is referred to actually addresses a public hearing that we will be holding next Monday on the Route 58 consideration of rezoning. What we are considering in this public hearing is the creation of a non-floating district of Business PB and let me try to explain that. There was, created by a former Town Board, a floating district

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

Business PB which was exactly that. It was a district that overlaid an existing district. And in the case of the one that I know of, it overlaid Agricultural so that both zones are in effect. The Agricultural uses are allowed and the business PB uses are allowed. And it is a layering of two zones. What the Board, in this hearing, wants to make public and get input on is that we are considering creating also a Business PB zone not as an overlay but as a zone unto itself which would allow for professional business uses. If there is any question or expansion of explanation, I will be happy to provide that but I would invite anyone who wishes to address the Board on this matter to raise their hand now. Yes sir. Would you step up to the microphone and give your name and address."

Anthony Leanza, "I came here specifically to represent a person who has a gas station as well as auto dealership within this very zone. He's quite concerned with what we thought was going to be public hearing to create a professional business zone in that area and prepared..."

Supervisor Janoski, "That's the next hearing coming up."

Anthony Leanza, "That's the next public hearing coming up. If you would at least like the Board at this time, since we assumed this was the public hearing, that the Board understand that we really see no need for a professional business zone. I doubt it has ever really been established."

Supervisor Janoski, "Tony, by the next public hearing, I don't mean the next Town Board meeting. I mean immediately following this hearing."

Anthony Leanza, "Oh. It will be at this meeting? Then I pushed the point a little too early."

Supervisor Janoski, "I will recognize you again. The hearing that we are having now is specifically on"

TAPE ENDED

Anthony Leanza, "I don't think we can hear you."

Supervisor Janoski, "Ok. I'll get a little closer. Is there anyone who wishes to address the Board on the matter of the creation of the zone for inclusion in the zoning code of the Town of Riverhead? That being the case, I declare the ... Did you want to speak sir?"

Unidentified Man, "Is this on the PB?"

PUBLIC HEARING Continued

Supervisor Janoski, "Well, this is on the creation of the PB. Not on the rezoning proposal. That's the next one. You want to speak at the next hearing. Yes. You've got to come up here. You've got to state who you are and where you live."

Walter Binger, Aquebogue, "My question involves what has been specifically written in the paper which (since we brought up both Business zoning, PB zoning) is it going to be the same district? In other words, what's been written in there is city sewers, city water and I believe what's also written in there is that there should be created a sewage treatment plant if city sewers were not available. That's in the Route 58 one specifically written for that. Will this be the same zoning? In other words, will one apply to the other?"

Supervisor Janoski, "No."

Walter Binger, "We're going to have two different PB's?"

Supervisor Janoski, "These are two different zones. The PB existed in Town Code before but only (as I said) as an overlay district. This is to be created as a zone unto itself that there would not be an underlying zone."

Walter Binger, "There will be a PB blank one but will there be a PB A and a PB B?"

Supervisor Janoski, "No. The other zone that the Town Board is considering which is next week is a zone called Office Service which is a more intense professional service use but not business retail shopping centers, that kind of use. Bill."

Bill Nohejl, Wading River, "This PB is somewhat similar to Roanoke Avenue right? But what you're expecting to do is just for a designated area. Not for the whole town."

Supervisor Janoski, "No. This particular hearing is to put in the code this zone so that we can then zone property to that zoning."

Bill Nohejl, "Anyplace or certain areas?"

Supervisor Janoski, "Well certainly the Board has the ability to rezone any area in the township. But we are specifically dealing with in the next public hearing, a particular corridor on Route 25 in Aquebogue."

Bill Nohejl, "But what you're asking... Let me get it straight. What you're asking is the authority to put a PB anyplace in town. Yes or no?"

PUBLIC HEARING Continued

Supervisor Janoski, "Yes. The answer to that question is yes the way you phrase it. What we are seeking to do is include in the zoning possibilities of the code book of the Town of Riverhead the PB zone. It does not exist now except as an overlay. We want to create it as a zone that is not an overlay."

Bill Nohejl, "I follow you and don't follow you."

Supervisor Janoski, "Well I follow you and don't follow your question. The question you asked me...."

Bill Nohejl, "Let me stop you. Before we made an overlay of Roanoke Avenue period. Right? Now, what you're asking for is different. It's not saying this PB for Route 25 from 105 east or something like that. You're asking for a general for putting it into the code of the town book. That if necessary, a certain area can be able to use it."

Supervisor Janoski, "Right."

Bill Nohejl, "Right. Ok. That's what I wanted to know. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else who wishes to address the Board? Jeff McGann."

Jeff McGann, Aquebogue, "The more I hear the more confused I get. I don't know if anybody else feels that way. Why do we need this zone? Can we get a little basic? Why do we need this Joe and what will it do that will make Riverhead a better place to live?"

Supervisor Janoski, "The zone was created in 1978 to serve as a transitional business use area into residential area. It exists in the code presently only as an overlay district which means that if you have a piece of Business B zoned property, you can put on top of that a business PB zone also which allows for both uses. What we are saying is that we would like to have this PB zone also stand alone. So that would be the only zone if it were so created, in an area that the uses would be permitted. And if I might.... The uses in this zone are professional business uses. And they include: Accountants, architects, attorneys, bookkeepers, chiropractors, draftsman, dentists, engineers. You get an idea of the type of uses."

Jeff McGann, "Yes. But my question is, what's wrong with the system the way we have it now and what doesn't that provide that this new thing will? This new zone that will stand on its own. I understand the parameters, architects, businessmen, no industry, retail and all of that. But why do we need it. What's the..."

Supervisor Janoski, "Because in the other existing zones, you could not put some of these uses. In Business B for example, (and those got the Business B) there is no provision for professional office buildings I don't believe. What the Town Board is trying to do is long range planning with this ability of creating

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

this zone. That we do want to preclude high intensity retail uses in certain areas of the town. There would be a tool that we could use in this planning. Now, the next public hearing is on a specific corridor that we are proposing to change to PB now."

Jeff McGann, "Right. But this what we're talking about right now is.... In other words, if everybody in the town.... Is this going to come to a vote whether or not this will become a zone on its own right after this hearing?"

Supervisor Janoski, "No. The next Town Board meeting."

Jeff McGann, "So then actually, the next hearing that is coming up in five minutes or now or a minute ago... If that proposal doesn't fly, then there's no reason to have that hearing. Is that correct? In other words, it's a moot point. Ok. It just seems to me... I'm not trying to be argumentative. I'm just trying to.... There's a lot of confusion in my mind and I think other people that I have spoken to. It seems like everything is jammed up into one week or one night or a couple of nights to get all this stuff done and approved. And I just think it could be explained a little better and I hope you can address that."

Supervisor Janoski, "Well sure. Let me just say Jeff that the Board has been working with this and its consultants for quite some time now. This is the culmination of that work. And of course to the average observer and of course I noted in last week's paper, that we should not be moving so fast. Well we haven't moved fast. We've been..."

Jeff McGann, "Well, to us it appears fast because we're not able to..."

Supervisor Janoski, "Well, the paper I think, has reported all that period of time that we were looking at rezoning areas in the township and specifically those areas. The papers have reported that we have hired consultants to help us to consider or offer us suggestions as to what direction we should take. But when you come to the end of that work and it's been like a year or more in some areas, it may seem (at the end) that we're moving too fast. But we've been moving very slow. We had two weeks discussion on just a restaurant and how to define a restaurant and it's very slow exasperating work. Do you want to add something?"

Councilman Prusinowski, "Jeff, this process really came and started from you, from us, from the people. I sat up here for six years and I've heard everybody come up here and testify at this microphone that they want to make sure that we have an orderly zoning code that reflects 1985 in the growth of the town. So this process has really outgrown from the testimony offered at previous public hearing of previous applications. So what we are here to address

PUBLIC HEARING ContinuedCouncilman Prusinowski, Continued

tonight is make this particular code.... Forget about the next public hearing on that zoning map where you see all those pretty colors up there. We will add another zone, another color that says now we have professional (planning) PB office district. Now, where that goes and which part of the town (which is the subject of another public hearing in future Town Boards) might say now that belongs here and that belongs there and it's up to the people to meet with the Town Board and say that's what they want."

Jeff McGann, "Ok. Look. I'm not..."

Councilman Prusinowski, "PB exists in town now in many spots by the way."

Jeff McGann, "Ok. This is a hearing and we'd like to hear something. I mean you guys..."

Supervisor Janoski, "We've been working on it so long that we're very close to it."

Jeff McGann, "Alright. But give us the benefit of your expertise and give us five minutes of what it is with the hearing and what it means and why you guys are either in favor of it or..... Sell it a little bit because does anybody have any questions on this thing and we're all here like ignoramouses."

Councilman Prusinowski, "Jeff. No Jeff. I think probably what I perceive I'm hearing what you're saying. You probably have more to say at the next public hearing then you do at this particular public hearing because this public hearing says that we're going to create this zone and put it in the zoning code. Now, where we put it, probably you have a lot more to say at the next public hearing which started five minutes ago."

Jeff McGann, "I really don't. I really came down here hoping to learn more and apparently it's too late. And I'm sorry if that is the case. I'm pleading, give us a little information."

Supervisor Janoski, "Jeff. Let me have the Deputy Clerk call the next public hearing and we can recess that and try to get into an explanation. Let the record show that the hour of 8:11 has arrived. The Deputy Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:10 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, February 5, 1985 at 8:05 p.m. at Riverhead Town Hall to hear all interested persons regarding: Change of Zone of property located in the Hamlet of Aquebogue, along the Route 25 corridor from business PB Overlay, Business B, Business C, and Agriculture A to Business B.

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you. I'm going to recess that hearing so that we can continue with the hearing on the creation of the Business PB, Non-Floating Zone."

8:05 PUBLIC HEARING RECESSED AT 8:11

Supervisor Janoski, "Now, if I could... The floating zone already exists in the town code. And if I could, I'll read the purpose because they are just about identical. It is the purpose of this article to implement the recommendations of the Master Plan to permit the construction and reconstruction or renovation of existing structures for the uses set forth below. This use district designation is to be applied consistent with the standards set forth below in transitional areas between intensive business development areas and residential development. Primarily along major arteries. This use district designation may be imposed by the Town Board in conjunction with or to the exclusion of all other use districts upon the official map of the Town of Riverhead. Now, as it was created in 1978, that idea and that purpose of allowing a zoning in the town for professional business use was created as an overlay district or one to be used in conjunction with the existing zoning. And once again, it put the PB on top of the zoning that was already in place. What the Town Board is proposing is to add to the code a non-floating business PB. One that will exist by itself without another zone being underneath it and the use of that property would be confined only to those uses which are allowed in Business PB zoned area. Which are all professional business uses such as doctors, attorneys, dentists, accountants, architects, engineers, etc. Jeff, does that help? Is there anything else that I can add? Yes sir."

Armin Jobs, Aquebogue, "I've got a business, Scotty's Rabbit Farm. You're going to change this so I can still keep the livestock because I don't know."

Supervisor Janoski, "This change of zone does not affect any existing uses in the area where the zones are changed. They become pre-existing non-conforming uses and are allowed to continue."

Armin Jobs, "Ok. Thank you."

Supervisor Janoski, "You're welcome. Yes sir."

Harold Goodale, Main Road, Agb., "You're creating this business zone and you say it's exclusively for it. In my thoughts, when zoning was first voted in by the people, that it was to keep agricultural in agricultural, residences in residences, business in business and all these kind of things. But I can't see the purpose of making another business or another zoning district when you have right here Ag. A to Residence C, Residence C to Business B, Business B to Residence C. They're all changing zones anyway. So what difference does it make what the zone is if you're going to change them like that?"

PUBLIC HEARING Continued

Supervisor Janoski, "Are you talking about the application?"

Harold Goodale, "Yes. I'm just saying that the Zoning Board should take them out there. It should never come before the Town Board."

Supervisor Janoski, "Any individual citizen has the right to apply and make application to the Town Board for a change of zone. That does not necessarily mean that we're going to do it."

Harold Goodale, "But what does the Zoning Board do? They should say that the area is zoned for this, they shouldn't be there. What protection is there?"

Supervisor Janoski, "The function of the Zoning Board is to grant relief to individuals who may want to do something that is not specifically permitted in a zone. Otherwise there is no application to the Zoning Board."

Harold Goodale, "Well, then you say you come up with special permits from who don't even live in the area. So they still come up with it. So I don't see where this is making it. So if it don't go with the zone, they give you a special permit. I don't understand why this is so."

Supervisor Janoski, "The zoning as it was created back in 1965 (finally) allowed for special permits or exemption uses. And these were uses in the various zones that could only be put in place by special permit of the Town Board. And it gives the Town Board the opportunity to make judgement based on traffic or intensity or all the factors that should be taken into consideration. It is not a disallowed use. It's a use that's allowed by special permit. You know zoning gets to be pretty complicated."

Harold Goodale, "That's why I'm saying that I think you're making it more complicated."

Supervisor Janoski, "No. I tried to simplify it. There are, in any zone (pick a zone, any zone) name me a zone. Any zone that you want."

Harold Goodale, "Let's say residential."

Supervisor Janoski, "Ok. Residential is very specific as to what the allowed uses are. Certainly you can build a house in residential."

Councilman Artale, "Why don't you say agricultural. We've got that right on top."

Harold Goodale, "Agricultural. It don't make any difference to me."

PUBLIC HEARINGS Continued

Supervisor Janoski, "Ok. Agriculture. Permitted uses: Agricultural, simple enough. Cemetary, churches, parish houses, rectory or convent, public and elementary, highschoools, cold storage plant, colleges, and universities, golf courses, greenhouses, libraries, office or meeting rooms, philatrophic fraternal or social organizations, one-family dwellings, golf driving range, archery, outdoor swimming pool, parks, playgrounds, museums, community center, riding academy and corral, vegetable or fruit grading section and or storage. Those are all the permitted uses. But then the Town Board in 1979, added a list of special exception and special permitted uses where the Board could consider such an application on its merit and guess what that so happens to be? Airport. Now, this Town Board did take the action in 1983 of removing that as a special permitted use."

Harold Goodale, "So what you're saying is that once you get within a zone like a business, it's easier to change it (to have the Town Board change it) like if you go to a business zone, it's easier to change it to Business A, Business B."

Supervisor Janoski, "The purpose of this zoning"

Harold Goodale, "It seems to me that that's the way it works. If they get in there they can..."

Supervisor Janoski, "You know Mr. Goodale, you were one of the motivating factors in us moving in this direction. Believe it or not."

Harold Goodale, "It must be negative."

Supervisor Janoski, "Now. You influenced us positively. Because when we get into the next public hearing and you go down there, we will deal specifically with what the Town Board is trying to do. But this is a less intensive use that we are trying to create which excludes retail shopping centers and all of that high intensity business and limits it only to the type of business that exists in Aquebogue for the most part. For example, the veteran who I think is here. Don Denis who is an architect. That kind of professional business development."

Harold Goodale, "I'm just saying with all the changes in zones like I see in there, it makes you think that it's easy to change because everybody goes in. I thought there would be different ways of screening it. That's what I thought the Zoning Board was for, to screen everybody."

Supervisor Janoski, "The Zoning Board only comes into play when there is an exception that is wanted from the rules and they can grant what is called a variance after they make their case. Ok. You're already half way up here so you might as well come up."

Walter Binger, "It seems to me from what we're all saying here, since the PB was originally projected to be an overlay. I believe what it's meant for is down zoning and not an up zoning type thing. In other words, what we're saying is we have a residence and I have a house A and next door to it I have Caldors and I say h--- in between I got a house. Now, what am I? I am not allowed to be either one. If the Town Board says ok between residence A and Caldors, this house is liable to be PB because he is half and half anyway. I think that was the original reason for it. It seems to be, from what I am getting from the conversation here, that's why it was made an overlay. To down zone. Not to up zone."

Supervisor Janoski, "It all depends on your definition of up or down. That's one thing that's always confused me. One of the intents was to create a transition area from high intensity business use to residential use. But if you use PB and we'll get into Aquebogue where there is Business B zone and we put a Professional Business overlay on top of it, you can still build a shopping center. What we are trying to do by creating a zone that stands all by itself, is preclude the use for a shopping center."

Walter Binger, "I'm sorry I sat down. It's my fault. In other words, what you're saying then.... I'm losing something here. I just lost my train of thought. What you're trying to do is preclude the use of a shopping center. We all agree upon certain things. That high intensity may not necessarily be the place. We're all kind of tired of Route 58. We all know that that got out of hand. We do have certain laws in the town that aren't even being upheld on Route 58 which is sort of ridiculous on my behalf. We have codes on signs. They're supposed to be all brown or blue. Hess comes in there with the most grotesque looking station. Now, the Town Board and the Planning Board have gone over some of the buildings and said that you have to have bricks on 3 sides for instance. Wood side on the front. Yet Hess who comes in and builds his station which looks like a tinker toy set up. Alright. Now we have a Midas Muffler shop, strange looking. In other words, getting Coram atmosphere. The bright signs, the neon signs. Don't we have laws that are supposed to cover this from 5 or 6 years or so?"

Supervisor Janoski, "Sure. The signs which have been up in place, conform to the code. The Mienneke Muffler is what we're referring to."

Walter Binger, "Excuse me. The specific item was written somewhere during the centennial which was blue and brown would be the wide signs."

Councilman Prusinowski, "No. That's not in the Town Code."

Walter Binger, "That was not in a Town Code?"

Councilman Prusinowski, "There's no code in the code book that regulates the colors of the signs."

PUBLIC HEARING Continued

Walter Binger, "I'm sorry. I thought there was."

Councilman Prusinowski, "There might have been during that time some type of..."

Councilman Lombardi, "There was discussion."

Walter Binger, "I mean the police station was painted blue at that time. It was in the paper."

Councilman Prusinowski, "Well that was a celebration type of thing."

Walter Binger, "Oh. That was all it was."

Supervisor Janoski, "I bought that paint. And the reason I bought that paint was because it was on sale. As a matter of fact, we"

Councilman Artale, "We won't let him forget it either."

Supervisor Janoski, "The name of the color was bicentennial blue and they had (I think) 2 or 3 cans left and that's all there was and I bought it."

Walter Binger, "Well, I guess what I want to say is this; in other words, we are intensifying business in other portions of the town. Now, we want to lower the Business districts in our part of town. So you're giving and you're taking. You know."

Supervisor Janoski, "Yes. Ok. Marybeth wait a minute."

Marybeth Andresen, Aquebogue, "I just am trying to figure this whole thing out. I am surprised that you had it tonight. You had 2 more weeks for the kids vacation. I thought for sure it would be up for then. I think it was a year ago during the kids vacation that we had the other Aquebogue deal. A couple of things I just want to clarify and I think maybe I am the only one that is confused but maybe there are other people here that might be confused. What we have in Aquebogue is existing business as such. They will always remain. They will be grandfathered in. They will always be sold as business once the people have sold them. They will remain as that type of business. They will never ever be changed by a further Town Code at this present time."

Supervisor Janoski, "If it's not used in that particular use for a period of time,....."

Marybeth Andresen, "I am saying the ones that are being used right now as business in this town will remain as authorized business from eons unless someone goes in for a special application and would like to change it at that time."

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PUBLIC HEARING Continued

Councilman Prusinowski, "Marybeth, unless that business ceases operation for one full year, then the new zone takes effect."

Marybeth Andresen, "Ok. And what you're saying now, is anything that is zoned business along Route 25 in Aquebogue now and is not operating as i.e. a Business B or Business C, will now be changed to Business PB throughout."

Councilman Prusinowski, "That's the discussion of the next public hearing. Yes."

Marybeth Andresen, "Ok. Then what are we discussing now? The creation of this non-overlay overlay? But aren't you in fact doing an overlay?"

Supervisor Janoski, "No. No."

Marybeth Andresen, "This is not an overlay?"

Councilman Prusinowski, "Marybeth. What we are doing..... I'm sorry."

Supervisor Janoski, "I've got to get into the matter of the second public hearing."

Marybeth Andresen, "You don't have to do that now. Just explain what an overlay is."

Supervisor Janoski, "Let me go down to you and explain. The motivation for this consideration arose at a public hearing for a change of zone application about a year ago. As we are considering this change of zone application, we looked at the map and recognized that... This is 105. East of 105 exists Business B and Business C zoning in Aquebogue, 25, strip which is high intensity retail use. In the corner here we have some business PB which was created with the overlay and it's overlay is Agricultural. There is both co-existing Agricultural and Business B up there. What we are saying is that we want to create a Business PB zone that is not an overlay. So that the proposal to rezone this entire corridor to Business PB, we would remove the Business B and Business C uses. So that it is not an overlay. If it were an overlay, we could rezone that strip Business PB but the Business B and the Business C uses would remain and it would be co-existing. We want to have an exclusion area Business PB zone. One that stands but itself. This is the area in question."

Councilman Prusinowski, "Marybeth. What the first public hearing is, as the Supervisor just said, is just to establish a zone in the code book and on the map. Ok. In theory...."

Marybeth Andresen, "You already have that on the map."

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PUBLIC HEARING Continued

Councilman Prusinowski, "No we don't. We have a floating PB zone. In theory, another Town Board 5 years down the road, could say; In Wading River we have a strip on Route 25A that we want to now make PB. Take the zone that we are going to create tonight or try to create tonight through a public hearing and consider it down the road...."

Marybeth Andresen, "Ok. Then PB will be... It will say in the Town Code section 10, Article 1 PB is..."

Councilman Prusinowski, "Exactly. Where you put that PB zone is the subject of the next public hearing which I know a few people in here want to discuss. Ok."

Marybeth Andresen, "Right now in our code book..."

Councilman Prusinowski, "It's a floating zone."

Marybeth Andresen, "It just says that the only PB system that we have in this town right now is an overlay zone on that specific corner in Aquebogue."

Councilman Artale, "No."

Councilman Prusinowski, "Anywhere."

Councilman Artale, "It could be laid anywhere."

Marybeth Andresen, "It has to be laid over what is existing by a special permit."

Supervisor Janoski, "If you use the existing overlay PB. But we do not have available to us now a PB..."

Marybeth Andresen, "In our town code book."

Supervisor Janoski, "Yes. And what we want to do is include that in our zoning code."

Marybeth Andresen, "And you're going to list then the..."

Councilman Artale, "The accepted uses."

Marybeth Andresen, "...accepted uses. And that's what we're doing now?"

Councilman Prusinowski, "In this first public hearing."

Marybeth Andresen, "We're doing the accepted uses for PB now? "

Councilman Prusinowski, "Right. In this first public hearing. In other words, if you want to add an industrial plant in PB, now is the time to say to the Town Board, in PB zone I want to have an industrial toxic chemical plant in PB."

PUBLIC HEARING Continued

Marybeth Andresen, "What do we have... What have you all discussed other than doctors, dentists, lawyers...."

Councilman Prusinowski, "Well, we'll read it to you."

Councilman Lombardi, "Read it again Joe."

Marybeth Andresen, "Thank you."

Councilman Prusinowski, "I think that's the first question."

Supervisor Janoski, "Professional office: accountants, architects, artists, attorneys...."

Councilman Artale, "We're not into that one yet."

Marybeth Andresen, "Yes. We're into this one."

Supervisor Janoski, "...cardiologists, bookkeepers, chiropractors, dentists, draftsmen, engineers, income tax preparers, insurance agents, real estate brokers, interior decorators, journalists, medical doctors, optometrists, osteopaths, podiatrists, photographers, physical therapists, real estate agents or brokers, surveyors. Now, there is a separate section. Professional offices of a person or persons determined by the Town Board to be engaged in a profession similar to those set forth in subsection A1 above. And what the Board, in creating this, recognized was that very much like ten years ago, they wouldn't have thought of adding computers to the list of professional uses. That there may be an office professional use that they didn't think of that they could consider at a special permit kind of a hearing."

Marybeth Andresen, "So anything in B would have to be under special permit?"

Supervisor Janoski, "Marybeth, you got to come up here. This is a... Let me just point out that this is a legal hearing. It's ..."

Marybeth Andresen, "I'm illegal. I'm back. And B would have to come under a special... No. Section B. He said A and B. Section B would then have to come up to be determined by the Town Board whether they want those exact things you had listed ahead. Like say it was a kidney dialysis unit (Ok) in a physician's office."

Supervisor Janoski, "Ok. Let me go on to say what is not allowed. I know it's here someplace. In-patient care diagnosis or treatment."

Marybeth Andresen, "In-patient diagnosis and treatment. Out-patient is a kidney dialysis."

Supervisor Janoski, "Well, that's interesting."

PUBLIC HEARING Continued

Marybeth Andresen, "Ok. Radiation therapy, out-patient."

Councilman Prusinowski, "That one is ok."

Marybeth Andresen, "I'm just saying that there's a lot of things that I don't if Would all of things then have to come up before a situation if they're not best stated in A? Everybody would have to... If I want to say, store my computerized tomograph, body tomograph place. Because I am not listed in section A, I have to come here for that? Even though I'm in a doctor's office?"

Supervisor Janoski, "Well, you know Marybeth, what we're trying to do Marybeth is to meet your expressed wishes that you don't want commercial development in Aquebogue."

Marybeth Andresen, "I thank you very much for thinking of me. Ok. However..."

Supervisor Janoski, "What I don't understand..."

Marybeth Andresen, "What happens many times is when we get very very... I don't know how to say this. It's happened so many times before. We blatantly say and I know you've guys put in an awful lot of work in on this and I know it's been a year. But we blatantly say this is such and we've done this before in this Town Board. And John knows because he's been there since I've been here. We've done this before and then we find out we can't operate a remington typewriter because it doesn't conform to what we have set down the week before as a noise level. I'm just wondering if you have really exhausted Like I just gave you two things."

Councilman Prusinowski, "No Marybeth. If you read section B, section B says; (because really this is common sense) down the road there might be new technology, something new that might come about that we don't have today. And if it conforms along the thinking of section A, which is all the professional offices, that Town Board can say yes. That new service exactly what you mentioned to me, would conform with section A and it's a permitted use under section PB. Ok. It's not cut in stone to the point if it specifically doesn't say those words. That's why section B was created for the future."

Councilman Lombardi, "It could be put in."

Councilman Prusinowski, "It could be if it's interprete of the law... Listen, let's be honest about it. Caldors is not an out-patient dialysis treatment center. Ok. An industrial point..."

Marybeth Andresen, "But the one across the street is."

Councilman Prusinowski, "Which is what?"

Marybeth Andresen, "There is a kidney trialysis...."

PUBLIC HEARING Continued

Councilman Prusinowski, "I understand that. But Caldors is not what's across the street. Let's be honest. McDonald's is not the same as Donald Denis's professional offices with accountants, lawyers, so forth and so on."

Marybeth Andresen, "I agree with you."

Councilman Prusinowski, "So that's common sense. And what this is saying is that; down the road, there will be new technologies created, new business, service businesses that will conform to section A that don't exist today."

Marybeth Andresen, "But they have to come before the Town Board application unless they are section A."

Councilman Prusinowski, "Absolutely. Because as a group, the community has the right to hear that particular petition to see as a group that conforms to section A. And that's the whole purpose of zoning. It's not an exact science because it deals with people and things change. Hey, 1964 and 1985 the world has changed a lot in the last 30 years. Twenty years. Ok. Or when zoning first started to be talked about in the late 50's, 59 or so."

Marybeth Andresen, "Ok. Thank you."

Councilman Prusinowski, "That's the purpose of that section Marybeth."

Supervisor Janoski, "Ok. Yes sir."

Ken Zahler, Aquebogue, "Included in the PB, the new zone, is anything going to be in there regarding percentage of land area that can be covered by building, landscaping things like that would make it appear nice?"

Supervisor Janoski, "I believe that is 15%. Do you know that to be fact John?"

Councilman Lombardi, "I think it was 15."

Supervisor Janoski, "Business PB, first of all, you must have a minimum lot size of one acre. The maximum height is 15 feet of any structure. The (area) maximum building area is 30%."

Ken Zahler, "Thirty seems, from the feel that I get from the intent of PB, thirty does seem kind of high. Is that possibly subject to change or is that....."

Supervisor Janoski, "Certainly. That's the purpose. I'm only reading here what exists in the Business PB."

PUBLIC HEARING Continued

Ken Zahler, I understand that. I would think that the intent of the PB zone has transitional 30 does seem kind of high."

Supervisor Janoski, "There are provisions for requirements and they are listed as such; there shall be protective planting strips or buffer of not less than 10 feet in width along any lot line abutting a residential district or use. No structure, storage or parking or other uses shall be permitted within this strip of buffer. Said buffer or strip shall be planted with evergreens or similar vegetation which when planted, shall be at least 6 feet tall. I mean yes. There are provisions for landscaping."

Ken Zahler, "Ok. I'm just listening quickly as you're reading. You mentioned along the line shared on the other side by residential area. I'd like to see that expanded not to just restricted to adjacent to a residences but how about along the road? Along the road that it abutes."

Supervisor Janoski, "There is a set back requirement which is in that section."

Ken Zahler, "I'm not just thinking in terms of setback of the building from the road. I'm thinking in terms of landscaping on the road itself."

Supervisor Janoski, "The setback requirement is 50 feet from the road frontage in the front yard and there's side yard setback of 25."

Ken Zahler, "Yes. I follow you. But what I'm saying is that I wonder if the Board could consider including the landscaping feature not only on the side adjacent to residential areas but as the face that faces the traffic road. I think it would be a big advantage."

Supervisor Janoski, "Well, we do presently, in a site plan review, require landscaping as part of that review process. We have been doing that for some time now. And that is part of that review. Certainly, in the requirements we could add. I don't know how you do one. For each specific project, you may want to do something different. But certainly some sort of requirement for landscape beautification."

Ken Zahler, "Also, another thing I know I've mentioned it before the Board on other similar occasions. And that is; I particularly like the way certain commercial buildings in this town have been done where the parking is behind the building. It is not visible from the road. Don Denis's existing complex in Aquebogue, the little rib of stores which includes Video Breakthrough on Route 58 has it behind. I think that is great. I think if that could be included, that the... I don't know if it's possible. I just throwing these things out. We're creating a new zone and things should be considered."

PUBLIC HEARING Continued

Supervisor Janoski, "I can not be that restrictive. But in site plan review, we do look at these kind of questions. A person buys a piece of property which is zoned PB let's say in this case. They have a certain amount of rights to develop the land in conformity with the code. We try, as part of our process, to make sure (and we've been learning ourselves) it does develop as well as it can be. And some things can be put in this PB code to address some of your wants. It is our desire to do the same thing which is where this whole discussion of PB comes from. We're not doing it to hurt anything. We're just trying to preserve that area."

Ken Zahler, "I think the idea of creating the PB zone is a good idea. I'm just trying to think of all the different things that I've never thought of in the past when considering what I would like to see go in these areas. Most notably the 25 corridor through the Aquebogue. And (one of) two of them are landscaping and the parking lot being so visible."

Councilman Prusinowski, "Well, why don't you..."

Ken Zahler, "Especially when you have a building restricted to a 15 foot height. If your cars are all parked in front of it, you don't even see the building."

Councilman Prusinowski, "I would recommend to you that you put these ideas in writing and send them to the Town Board as soon as possible. And we can take them into consideration without deliberations."

Ken Zahler, "I'll do that."

Councilman Prusinowski, "Thank you."

Supervisor Janoski, "Is there anyone else who wishes to be heard besides my friend back there? Do you want to speak on this particular thing?"

Joe Parrisi, "I own the lot next to the post office in Aquebogue."

Supervisor Janoski, "Do you want to talk about the rezoning on a specific parcel of property?"

Joe Parrisi, "I just don't want it rezoned to PB. That's what I'm on."

Supervisor Janoski, "Alright. Is there anyone who wants to chat about the creation of the zone? Marybeth I guess you do."

Marybeth Andresen, "Why can't you put in the town code now? You're establishing a new zone, a brand new one. Why can't you put parking in the rear? It doesn't affect what already is in existence."

PUBLIC HEARING Continued

Supervisor Janoski, "Marybeth because, I tried to explain to you. You know, what if I said to you Marybeth, your horse stalls have got to be on this part of your property. You can't restrict the use of property to that extent. I think what we're trying to do is control the usage of the property."

Marybeth Andresen, "But you do."

Supervisor Janoski, "Oh really."

Marybeth Andresen, "You said the barn can't be so many feet from here. Your swimming pool can't be so many this from that."

Supervisor Janoski, "Setback requirements. Absolutely."

Marybeth Andresen, "Correct. Then why can't you put it in as a fore thought situation in a new zone. I mean you can do a lot of suggestions after the fact which Vic said. Put it in for our consideration. It would be nice to see. We know Vinny likes his mansaard roof. Ok. Well, I knew somebody up there did. But anyway, I know we can't do that situation. We can't require that every sign in town is blue and brown. There are certain legalities that we can't do. But we're creating a zone now."

Supervisor Janoski, "For a use."

Marybeth Andresen, "For a use. And what is the difference if your setback for your building is 35 feet and your parking is to the rear but doesn't exist yet."

Supervisor Janoski, "Marybeth, you buy a piece of property. You have certain rights. I don't know. You have continually tried to tell other people what to do with their property and I don't know. I think there's a limit of how far we can go. Certainly in consideration of a site plan, if we can work out what you are suggesting, the parking in the rear. If it works out for the owner of the property and what he wants to do, that's fine. But if he doesn't want to do it that way or it doesn't work out that way, he has certain inalienable rights too. He owns the property and the neighbor on Church Lane should not be able (in my humble opinion) to say you must put your parking in the rear. Now, the Town Board is demonstrated in the Zamber building that we look at things like that and we told that guy; you're not going to have parking in the front. But you can't..."

Marybeth Andresen, "But that's because it wasn't already in the code. It was already established. How is it done then, in other towns where it's lovely and it's done with fore thought and they have a McDonalds in "Ryndek" that looks like a lovely red barn. They have one in Tahoe that is done in a ski chalet and it is done. And they are told that if you want to come into this town, these are the ways we have it."

PUBLIC HEARING Continued

Supervisor Janoski, "We can establish architectural designs."

Marybeth Andresen, "I didn't think we were allowed to do architectural designs and we had more play with grading, parking, drainage situations. I thought that we had more to do with that than we did with..."

Supervisor Janoski, "We do require a certain amount of parking in different zones for any square footage of the building. But where the parking goes is part of the site plan review for which is a case by case basis. If a majority of the Board agrees that all buildings constructed in Business PB must have their parking lots in the rear, that's the way it will be. As one individual, I don't think we can be that restrictive. We can certainly consider it in each case that comes before us."

Marybeth Andresen, "Well, if you're talking primarily about areas in the town of Aquebogue that you're establishing (not this one but the next meeting) wouldn't you want all the input from the people in Aquebogue that would be more concerned about it. Rather than..."

Supervisor Janoski, "Marybeth."

Marybeth Andresen, "I just didn't know. I thought when you established a zone you'd say you'd have to put your building 15 feet from this zone, from this line. You have to put it 30 feet from this line. Listen. I mean they do it all the time when they create problems."

Supervisor Janoski, "Sure they do. And we set up certain setback requirements. And what we are talking about is use. Now Marybeth, can you get it through that a person who is a owner of property has certain rights and that to make such severe restrictions... I mean some people are going to stand up here and they don't want this zoning to begin with."

Marybeth Andresen, "I know that. I understand that."

Supervisor Janoski, "But then when you establish a zone and you say that anything you build there, must, must have parking in the rear of the building. And then what you do is you have to... Suppose they can't do it for one reason or another. I can't think of any. But then they would have to come to the Zoning Board of Appeals for a variance to put their parking on the side of the front and it's very restrictive. Now, I don't mean to be a wise guy but you have a great deal to say about other people's property."

Marybeth Andresen, "I just... I didn't know that you could not do that when you were establishing a zone. That's all I'm saying. I thought that when you established a zone, you set the guidelines. I didn't understand that."

PUBLIC HEARING Continued

Supervisor Janoski, "We could absolutely do that. I mean the Board..."

Marybeth Andresen, "Oh, you can. You do have that power to do that? That's all I wanted to know."

Supervisor Janoski, "The Board can pass that."

Marybeth Andresen, "That's all I wanted to know. Thank you."

Councilman Prusinowski, "I wrote that in there that you say less front yardage and parking in the rear."

Marybeth Andresen, "Well I didn't know if you did or not. All I wanted to know is can you do that as a group?"

Councilman Prusinowski, "I just wrote it down. Marybeth suggests that we cut down the front yardage requirements and parking in the rear."

Marybeth Andresen, "Kenny too?"

Councilman Prusinowski, "Is that what you're saying?"

Marybeth Andresen, "Kenny Zahler said change it so that you can have it lovely. What we would like to see in Aquebogue is the loveliness preserved and we understand that that's what you're hoping to do by changing this zone. And if it could make it even prettier as in some areas in the State of New York where they have had some foresight and planning and have said; "Hey guys, you know you own this property but if you go about it, it will be lovely. It will be much more conducive to business so forth and so on."

Councilman Prusinowski, "For the record Marybeth, let's stop all the... That's what you said right? Less frontage and parking in the rear."

Supervisor Janoski, "Who wants to be next. You want to be."

Walter Binger, "In all due fairness, the last two speakers are strictly on residential property in Aquebogue. Now, I would be involved in the PB zoning where they would not. Ok. Now, what they are asking for is a restriction on parking. That I would have to put cars behind the building if I were ever to build a building or whatever. I would be stuck. You're creating a white elephant is what you're doing basically. I want to say that. There ain't a h--- of a lot I'm going to do with that property if you create this zone. Now, the question is; they can take their front lawn and park a car on it and they're going to ask for restrictions on how I park on my land. And I think that's where we're being.... There is too strict of zone. The originally intent (and I'll repeat with what I started with) as I see the PB zone, was to create a down zoning effect in residential areas where it would be acceptable to the neighbors which would be small areas, plots of land so forth and so on or large areas as Roanoke Avenue. Little old Roanoke Avenue if you ride down it and you're not from town, you think that's residential. Ok."

PUBLIC HEARING Continued

Walter Binger, Continued

Now that's the idea of PB zoning as I see it should. It's a residential looking area but make use of the building in it. Like a main road, Roanoke Avenue. The reason is also Main Road. I happen to live on Main Road and there's a h--- lot of traffic that these people don't put up with."

Councilman Artale, "It's where residences and professional business can co-exist."

Walter Binger, "Co-exist, correct. Therefore, it was created and yet as an overlay area in residential areas. It's not meant as an overlay in business areas. That's where that thing was written differently then what we're now trying to interpret it as. It's an overlay. You can put it over the whole d--- town."

Supervisor Janoski, "Sure. But the Business B would still remain as a use."

Walter Binger, "Correct."

Supervisor Janoski, "Ok. Now what the Board is trying...."

Walter Binger, "Had we overlaid PB anytime in the past over business?"

Supervisor Janoski, "Yes, no."

Walter Binger, "Except recently."

Supervisor Janoski, "The one area that is on that map is over agricultural."

Walter Binger, "That's a down zoning."

Supervisor Janoski, "Yes. No. No."

Walter Binger, "Anyplaces where it was used an up zoning?"

Supervisor Janoski, "It depends on your point of view."

Walter Binger, "Up would be residential."

Supervisor Janoski, "Well, there are those who have the opposite view."

Walter Binger, "No. No. Isn't that the way it's interpreted?"

Supervisor Janoski, "Let's use more intense, less intense."

Walter Binger, "More intense/less intense. It's meant to be an overlay over less intense areas to make them more intense."

PUBLIC HEARING Continued

Councilman Artale, "If someone builds a house in PB, they have to build it to where if they ever leave it or they ever sell it to be used as professional business, it would have to conform with the zoning of PB."

Walter Binger, "Correct. A large house is what you're looking for. It's for the next person... You know what I'm saying. You're trying to use an existing code. You're trying to use an existing zone and now make it zap, we're going to use it without the overlay."

Supervisor Janoski, "Yes."

Walter Binger, "So why don't we overlay the whole town Agricultural A and we'll start again."

Supervisor Janoski, "You're missing the point. That's what I tried to explain over there."

Walter Binger, "I don't know if I am. Ok. Go ahead."

Supervisor Janoski, "The Town Board was interested in a specific corridor. Now if we want to change the zoning of that corridor to preclude heavy intensive use, shopping center, retail stores, etc., we will either have to rezone to Residential or to Agricultural."

Walter Binger, "I understand."

Supervisor Janoski, "We don't want to go that far."

Walter Binger, "You can't. Not on the Main Road."

Supervisor Janoski, "Yes we could."

Walter Binger, "Well, I don't think you would ever."

Supervisor Janoski, "It makes no sense. So here we are. The medium point is maybe professional use. That we allow professional business development on that corridor which is a less intense use than a shopping center or heavy retail usage. Now, the only way that we can do it in the code is use PB as an overlay which means that we don't affect the zoning underneath. What we are trying to do is create a zoning that stands all by itself. That there is no other use underneath."

Walter Binger, "You're trying to make less intense use area, zone."

Supervisor Janoski, "Yes."

Walter Binger, "As a trade off for highly intensified zoning in other areas of the town."

Supervisor Janoski, "No. The...."

PUBLIC HEARING Continued

Walter Binger, "We have little communities. Aquebogue has their own business zone. Mattituck, Jamesport has their own business zone. Mattituck has their own business zone. Riverhead has their own business zone. If we separate into the areas we call... The state says Aquebogue is here. And now what you have done now is; you've just taken a business zone out of Aquebogue."

Councilman Prusinowski, "No. Wait a minute."

Walter Binger, "Is Aquebogue a community in itself or is it Riverhead a community in itself? I mean what are we going to call it?"

Councilman Prusinowski, "No. No. The first public hearing is to say that this zone will now be part of the town law, the town zoning code. Now, what you're saying now is the subject of a second public hearing."

Walter Binger, "I didn't bring up Aquebogue. Joe brought it up because he wants to use it in a certain area."

Councilman Prusinowski, "It could be used in Wading River. It could be used in Calverton. It could be used in Jamesport. It could be used anywhere."

Walter Binger, "We all know that. That's why this meeting shouldn't have taken anymore than 5 minutes. It should have no objection to zoning."

Supervisor Janoski, "Thank you."

Walter Binger, "I understand that. But my point is and I'm trying to make this point clear to everybody, that it was meant to intensify areas that were residential. I believe that's why it is was written and that's why it's not going to work to just say; here it is guys. Unless you're going to make a whole new zone, interpret the whole new zone, start from square A. Don't just say I can architects, engineers, whoever, nurses and I don't care if dialogist centers. Whatever we put in there. You're restricting me to only certain uses. Those uses were specifically written to try to fit into residential areas where Joe will live next to Edgar and Edgar was a doctor and Joe said; I don't care Edgar. You can go ahead and be a doctor. You can be a PB zone. And you're reversing it now. You're going to down zone stuff that was purchased as business property road frontage. Did you put up with a lot of traffic noise? Did you put up with 50 cars an hour at least to 100 cars an hour at least at 5 o'clock at night? And you're going to say; in that area, you're going to make a nice pleasant little residential (almost residential area) out of it. But meanwhile, you people still have the Main Road to contend with. You still have the....."

TAPE ENDED

PUBLIC HEARING Continued

Supervisor Janoski, "Are you suggesting more uses?"

Walter Binger, "I'm suggesting that you created an area...
Ok. I understand why the creation was made."

Supervisor Janoski, "It was a transition area."

Walter Binger, "Ok. I didn't want heavy business in certain areas of the town either and I understand why we're doing it. But the people that own that road frontage are in the minority. As to the residential people, they want the whole town to be residential. I mean, so you.. We're in the minority here. So therefore, this meeting is created and the next meeting which has opened yet, is sort of; mind is made up here. And when I can't understand is... I'm going to say it now. You didn't work a year on this. You worked a year on the Route 58 corridor. And this got lumped afterwards and you've only recently (according to the papers) intensified discussion on the Route 58 corridor. I mean Route 25. Before that it was Route 58. The moratorium was in effect on Route 58. There's never been a moratorium in effect on 25. Ok. So in other words, the discussions that this has been discussed and re-discussed and rediscussed, is not specifically this PB that you're saying is different then the office business zone. So I mean there is... I don't think there has been enough discussion to have the next meeting. Maybe I'll say it that way. I don't think.... I'll say it again. I don't think there's been enough discussion on what the heck this PB zoning is. What it was created for. What we're going to create in the future."

Supervisor Janoski, "Tell me. Do you own business zoned property?"

Walter Binger, "Yes I do own business property."

Supervisor Janoski, "Now I understand where you're coming from. It's finally starting to hit me."

Walter Binger, "I mentioned it before."

Supervisor Janoski, "Did you?"

Walter Binger, "And some of us know it here. When you have business zoned property but you don't have a business, I'm going to lose it. Now, it's a substantial amount of money to purchase property on Route 25 as compared to if I had originally it off on Sound Avenue or Union Avenue next to Kenny Zahler."

Supervisor Janoski, "One of the considerations in this proposal was the land values. And that's why the rezoning to Ag. or Residential was really not considered. Because that would result in a devaluing of the property."

Walter Binger, "PB will also."

Supervisor Janoski, "Well."

PUBLIC HEARING Continued

Walter Binger, "In other words, how much PB do you think this town can take? Roanoke corridor but that's next to the courts and next to the Hospital. That's a nice place for PB."

Supervisor Janoski, "There's proposals for professional all the time."

Walter Binger, "I'm not just talking money wise. I'm saying other words..."

Supervisor Janoski, "Let me ask you a question. How much retail space do you think this town can take?"

Walter Binger, "Presently? I'm not.... In other words, All I'm worried about is restrictions on my property. I'm not saying I want to go to residence either. I don't have anything planned."

Supervisor Janoski, "I didn't say residences."

Walter Binger, "I don't have anything planned. I'm living there. It's my farm. It's my house. That's where we live. It's my home. We have no plans to do anything in the near future."

Councilman Prusinowski, "In other words, what you're saying is in essence is that..."

Walter Binger, "You've cut my options is what you've done."

Councilman Prusinowski, "Right. I was just going to say is what you're saying is; (to sum up your whole testimony) that you feel that the original PB zone was built to accomodate residential areas that wanted to have some type of business but not business that was incompatible with...."

Walter Binger, "Let me turn it around for you. To accomodate business type buildings in residential areas."

Councilman Prusinowski, "And what you're saying now is that this proposal now is too restrictive if we're trying to do the opposite."

Walter Binger, "Correct. It's meant to be used on a parcel of property between (inaudible) Edgar and Joe. You own a house and he owns a house and Vic you own a house between them. You're saying I want to be an accountant and he says he doesn't have any objection and he doesn't have objection, you overlay the PB." Now you're PB. Nobody objected to it. That's what the original intent of that, the way I see it. The way I am personally going to interpret it. And nobody has told me otherwise. That's what it was written for. Therefore you can't just take that PB and say ok let's make it a zone on itself unless you reinterpret the whole thing."

Councilman Prusinowski, "I see. Ok. I get your point."

PUBLIC HEARING Continued

Walter Binger, "Ok. Thank you."

Supervisor Janoski, "Way in the back there."

Rosemary Hubbard, "I own some property on the Main Road in Aquebogue."

Supervisor Janoski, "Excuse me Mrs. Hubbard. Is there anybody who wants to discuss with the Town Board the creation of this zone?"

Rosemary Hubbard, "Yes. I want to know if they include or would it be possible to include in PB for people with larger parcels, a grouping of these professional buildings? It would be more esthetic then having a group of lined up little houses one-story buildings on the Main Road."

Supervisor Janoski, "Mr. Don Denis who just bought about 6 acres I believe, is going to construct a professional complex on the corner of Union and 25."

Rosemary Hubbard, "And that's been considered into the PB?"

Supervisor Janoski, "Oh certainly."

Rosemary Hubbard, "Ok. Thank you."

Supervisor Janoski, "It could be a combination of a number of the uses allowed in the district. A medical arts building, doctor dentist, chiropractors, whatever."

Rosemary Hubbard, "Are you also limiting this if a person wants to build a residence to a single floor, single story house on PB?"

Supervisor Janoski, "Yes. The thinking there was to allow a residential construction. However, anything constructed as a residence must conform with the requirements of PB. So that it would be a one-story building. And this is the reason for that. You can build a two-story residence and we have a 35 foot height limit in all residential zones. However, once it becomes a business, the handicap laws go into effect and you would have to put an elevator in a two-story house before you convert it to a business. Also, we require that you have enough lot area to provide the necessary amount of parking in conformity with the square footage of the house."

Rosemary Hubbard, "If your parcel is divided up right now into business, industry and agricultural, the footage behind the 500 feet from the road. Is that going to be down graded or up graded?"

Supervisor Janoski, "The code states (someplace) that you can 30 foot in if your property is split into two different zones. You can use 30 foot into that less intense with the higher intense use. That's the only provision that I know of. But if you have say Agricultural in this Business PB and you want to put a professional building, you can extend that use 30 feet into the Agricultural zoned parcel according to the code as it now exists."

PUBLIC HEARING Continued

Rosemary Hubbard, "Ok. Thank you."

Supervisor Janoski, "Yes sir."

Joe Fisher, Union Avenue, "With the exception of the previously defined occupations that you're going to allow, I'd like to know what the defined definition of professional use is and where you're going to draw the line. You know, you said you're going to exclude retail stores yet we have real estate agents going in there and tax preparers and so forth. I mean, what's to prevent computer service people and a plumber who says he's not doing anything on premises?"

Supervisor Janoski, "Plumber is not a professional office use. Certainly a computer (I think) would fit into our thinking as far as professional use. But that is why the code (as it presently exists) is written that way. If it is not one of the listed uses, then you must come to the Town Board for a special permit which gives them an opportunity and for people at a public hearing (such as this) to give their input as to whether it does in fact fit in. The meaning of the code or the purpose of the code. So computers ten years ago, who was in computer business? Which I think is a professional business. Computer services or consulting. Well, that wasn't listed. Perhaps if the code were being written up today, it would be. But ten years ago, who would have thought of it. So then there's a little phrase at the end of the section 2 which allows a Town Board to make a judgement based on what is proposed as being a professional business. And they judge that on its merits at a public hearing just like this one."

Joe Fisher, "Is the term professional business/professional use, defined in the code? Such that somebody may take argument."

Supervisor Janoski, "You know, I don't know that it is. I really can't answer that question."

Joe Fisher, "I think that may be a contributing factor when someone is to argue a point."

Supervisor Janoski, "Well you know profession (quite honestly) by most people's definition, is an occupation in which you make your living or earn your living. I think most people think of it as a doctor or a lawyer or some category such as that. An accountant. A plumber certainly is a profession but it is not a professional in our meaning of it. And maybe we have to just in fact do that."

Joe Fisher, "I think we need one. Because just for example; the labor board will define it as exempt persons/non-exempt and that's how they do..."

Supervisor Janoski, "That's a very good suggestion. I don't know that it is defined in the code but certainly it would resolve or eliminate some future problems if we did. But we would want to draw it up to be a little flexible if you know what I mean. There may be something that we haven't thought of."

PUBLIC HEARING Continued

Joe Fisher, "The other question I have regards size limitation. Is there a maximum size limitation for a building? I think you specified I think 15 feet in height."

Supervisor Janoski, "Well, you have 30% lot coverage so that if you have 3 acre parcel, then you could cover 30% of that 3 acres which is about an acre, 40 thousand square feet. I don't know that that will ever happen in this town but a third would be about 33 and a third percent. So it's a little less than 40 thousand square feet."

Joe Fisher, "Is there a consideration for someone who wants to (let's say) put up a string of professional offices and then you subdivide them to rent out or whatever the case may be. That's it's of a maximum size or a specific size where all the entrances and exists from those offices will be internal so it doesn't look like a row of motel rooms so to speak?"

Supervisor Janoski, "That's part of site plan review. We have considered that kind of a question. But once again, you get into an area that gets kind of restrictive. It would depend on the architecture of the building and certainly we could try to create that kind of situation such as the professional building across from the Hospital in which all the entrances are interior. There is one main entrance in the front and I believe one in the back. It's something to be considered. How far in restrictions we want to go. Donald Denis, (I've never been inside of it) but it seems to me that its entrances are outside. But it happens to be a very attractive kind of structure with landscaping and etc. So that... I think that once again, I've always looked for flexibility in things so that we can judge each project on its merits. But the Board will consider your recommendation. If it's a large structure, one would think we would like to see the entrances internal."

Joe Fisher, "I would like to think so but we don't."

Supervisor Janoski, "Certainly you wouldn't want a 40 thousand square foot building with a lot of entrances on the outside."

Joe Fisher, "Assuming that we.... I mean a number of things have been discussed here. I'm under the impression now that the hearing that was supposed to follow this regards specific lot. Doesn't it have to be defined what the PB zone will be before you can even pertain to that?"

Supervisor Janoski, "Sure. What we're doing is having the hearing on the PB zone. We already know what it is in the code. What we are trying to put in the code is PB as a non-floating zone. We're doing that specifically because we want to apply it to this corridor in Aquebogue. That's the proposal. We can't apply it until we finalize it. And we will finalize it according to some of the input and we will consider what you have to say. Weigh it and see what we can do to accomodate your wishes in keeping with our beliefs and what we think is practical."

PUBLIC HEARING Continued

Joe Fisher, "Ok. Thank you."

Supervisor Janoski, "Mr. Nohejl."

Bill Nohejl, Wading River, "I'm a bit confused. When you..."

Supervisor Janoski, "It's that tie."

Bill Nohejl, "...went over to the map you should where there was an existing business zone. This is an overlay over it. Nope."

Supervisor Janoski, "Well go on. Ask your question."

Bill Nohejl, "I get the impression that the business already there is grandfather. No matter if you came with this PB the man still has preference to do with his property as it was."

Councilman Prusinowski, "Vacant land/property; no."

Supervisor Janoski, "What we have there Bill is business B and Business C existing zoning. If we use the PB as it presently exists in the code, it will be an overlay on top of the Business B and C."

Bill Nohejl, "You mean the other wouldn't exist?"

Supervisor Janoski, "That's what we want to remove. We want to remove the existing B and C. That's the proposal."

Bill Nohejl, "Ok. That's what I was confused about. I thought the grandfather zoning still remains."

Supervisor Janoski, "If there is in this area that should be rezoned (if in fact it is rezoned) and there is a business (Little Joe's Restaurant), it doesn't affect it one little bit. They are allowed to continue and run their business as they always have."

Bill Nohejl, "No. I think what Little Joe's referring is he has property next to his building."

Supervisor Janoski, "That it affects."

Bill Nohejl, "That's what I mean. That's what I think Little Joe is talking about. It affects that property."

Councilman Prusinowski, "He's dying to get up and speak at the next public hearing."

Bill Nohejl, "Ok. Thank you."

Supervisor Janoski, "Is there anyone else who wants to discuss the creation? Yes doctor."

PUBLIC HEARING Continued

Garrison Brown, Main Road, Aquebogue, "A question I just had which I hope is easier to answer than most of them tonight would be assuming that this change of land use comes to pass along the Route 25 Aquebogue area, most of the existing structures there will be non-conforming."

Supervisor Janoski, "Pre-existing, non-conforming."

Garrison Brown, "If someone wanted to improve or expand their non-conforming business, what steps would have to be taken? Would they have to get a variance?"

Supervisor Janoski, "A special permit from the Town Board."

Garrison Brown, "Even though the existing business would be allowed and an expansion of that business would not be allowed."

Supervisor Janoski, "It would require a special permit which is once again, a hearing just like this one in which you come in and say this is what I want to do. This is why I think it's right and it's a special permit and the Board votes on it."

Garrison Brown, "And what guidelines or requirements would be followed in the new expansion of improvement of this business would you... Would you (for example) have to follow the setbacks of PB or would it come under the domain of the existing business?"

Supervisor Janoski, "If you were to put an addition on your building and you would have to follow those setback requirements. If it was physically impossible for that to happen then you would need a variance from the Zoning Board of Appeals."

Garrison Brown, "So then you're really operating by two separate standards if you plan to expand your existing business. The one that you had established when the zone went into effect was (for example) dictated by the code under Business B but the expansion would be dictated by a differed code, PB."

Supervisor Janoski, "It would be dictated by the requirements. What is the..."

Garrison Brown, "For example; the number of parking spaces, the setbacks, the landscaping."

Supervisor Janoski, "The parking spaces would be.... If you are in a retail operation, then you would have to follow those parking requirements for retail."

Garrison Brown, "So then it would not be PB requirements."

Supervisor Janoski, "Oh no. Oh no. One could not allow a retail business to operate under the parking requirements of a PB which is less parking spaces. Now, there is consideration (once again) of reducing the number of parking spaces required for Business B which is now one parking space for every 200 square feet. So that if you were in a retail business, pre-existing non-conforming use and you wanted to expand, you would have to follow the guide-

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

lines of one parking spaces for every 200 square feet."

Garrison Brown, "And the same would apply to setbacks, other requirements?"

Supervisor Janoski, "Setbacks, yes. I was just trying to see what the difference was in setbacks."

Garrison Brown, "I'm just confused as to which area of the zoning code you would look at if you wanted to expand your business."

Supervisor Janoski, "If your structure..."

Garrison Brown, "Even if you were non-conforming."

Supervisor Janoski, "If your structure does not have a front yard of 50 feet. Let's say that you're 45 feet from the road and you could not make your addition back that 5 extra feet to conform, then you would have to get a variance from the Zoning Board of Appeals which is the kind of thing that they act favorably upon. Because you've got an existing building and you're trying to expand on it, the Board has already granted you your special permit and then you seek variance if you could not physically make that change. Sometimes it gets into the most minute.... And there's one that is on my mind which is a conversion up on Route 58. The new design, there kind of building an overhang over the window. That overhang, when they build it, may bring it far too close to the road and that's a consideration. So you're absolutely right. When you convert a building or expand the use, it would have to conform with those distance setback requirements unless you get a variance."

Garrison Brown, "I think I understand what you said. Is it specified in the code though that ten years from now an application were made, the new Town Board would be giving me the same answer."

Supervisor Janoski, "The setback as it presently exists, is 50 feet front yard. And if your building is setback 50 feet from the road.."

Garrison Brown, "Well, I'm only using setbacks as an example. Specifically, I wanted to know what guidelines do we follow, we the non-conforming businesses if an expansion is planned ten years down the road?"

Supervisor Janoski, "The guidelines are minimum (lot acre) acre lot. I'm sorry. That there be minimum lot width of 50 feet. That there be a maximum percentage building area which is 30%. Maximum height requirement which is 15 feet."

Garrison Brown, "But you're reading the PB requirements."

Supervisor Janoski, "Yes."

PUBLIC HEARING Continued

Garrison Brown, "If I had a retail business and I wanted to expand it, (you just said a few minutes ago) I would have to follow the requirements of business section of the code because I am a non-conforming business."

Supervisor Janoski, "There are certain requirements that you would have to follow for the use that you have. There are certain requirements that would have to conform to the zoning and those requirements which are in effect. And parking for example, would have to be with the retail use. But any new structure would have to conform to the zoning requirements which are put in place."

Garrison Brown, "I don't want to be elaborate but is it written in the code that way?"

Supervisor Janoski, "We will...."

Garrison Brown, "Specifically, so we know what has to be followed?"

Supervisor Janoski, "We will write this in as specifically as we can."

Garrison Brown, "Thank you."

Supervisor Janoski, "Is there anyone else who wishes to address the Board on the matter of the creation of the zone? That being the case, I declare the hearing closed."

7:55 PUBLIC HEARING CLOSED AT 9:15

Supervisor Janoski, "And we're going to take.... I have to have two cigarettes. We will come back here at 25 minutes to ten."

SUPERVISOR JANOSKI RECESSED THE MEETING AT 9:18
SUPERVISOR JANOSKI RECONVENED THE MEETING AT 9:45

Supervisor Janoski, "The meeting will come to order and the hearing that was recessed is re-opened and that is the hearing on the rezoning of certain properties in Aquebogue which I described on the map previously. I would recognize anyone who wishes to be heard on the rezoning. Wait a minute. I recognize Joe Tony."

Anthony Leanza, "I've been so anxious to get up here to just talk a little bit. I'm sorry that I got up a little too soon. However, I heard about your PB proposition and I realize what a tough proposition zoning always is. It's very controversial and you can't satisfy everybody because I know. Now, for the... I assume you're doing this for the sake of progress. And as Mr. Prusinowski said before, things change and you've got to meet with them and you're afraid of (maybe) what's happening with the business from 58 coming to that area and cancer growing. So you're trying some means of stopping it. Well, I have a problem with a client that I represent

PUBLIC HEARING ContinuedAnthony Leanza, Continued

whose here this evening and it's Mr. Bokina with his little gas station that he has there. Has had there for many many years. I think he was there since about 1938 or so during the depression yet. And he's operating that place for some time. Recently he's had a little problem and so he's been in the hospital. And he's so concerned now that he may have lost the right to use and that is what his problem is now. I tried to explain to him of course, that if he was operating and if he is operating, he will not be illegal once (if) you push the zone into that area. I particularly do not see (one way or the other) whether it's a good idea or not a good idea. Assume the Town Board has looked into it and felt that it is a good idea. And I can see the reasoning behind it. And sometimes people get hurt. And that's his problem. He might get hurt on this and this is why he wants me to bring to your attention the fact that he is operating this station but he's operating it on a sick basis. He wants it to be clear. Everybody thinks the station is closed. And he wants that to be known that he is operating it. He wants it on the record now before we get anything further."

Supervisor Janoski, "I would suggest that somebody go in there tomorrow and pump a gallon of gas into somebody's car and he's golden."

Anthony Leanza, "Alright. He's been selling cars from there apparently and doing some repairs. But the operation is not one of those things that...."

Supervisor Janoski, "It's a service station is it not? Those existing uses will not be affected."

Anthony Leanza, "I tried to reassure him of that. And this is what I do think; that your new proposal (of course) is going to hurt some people. In this case, the old timer has been there so long that he says to hurt me now, at my advanced age when I'm in a hospital and I can't run at full speed. I'm a little concerned. And I said; I think the Town Board understands and you will be protected as I think anyone else who has such a business will be protected."

Supervisor Janoski, "The Town Board could not take away the uses which exist there presently."

Anthony Leanza, "Alright. Thank you."

Supervisor Janoski, "Let me just state.... I have some information here and it's probably useful. The present usage of the area in question; residential, there are..... Let me see. Forty six percent of the area is, actually it's more than that. About fifty percent of it is presently in residential use of one kind or another. Institutional, five percent, commercial, four percent, agricultural and mixed uses, 25 percent, open space and recreational, 1 percent, vacant land amounts to 15 percent. Presently those are the uses. Ok Joe the microphone is yours."

PUBLIC HEARING Continued

Joe Parrisi, Southold, "The property in question is the property next to the post office. I have an acre of land which I invested in in 1970. It is zoned Business B. At the present time, when I first bought it I paid anywhere from 200 to 400 dollars a year in taxes. After we had it reassessed, it's now up to 11 hundred and 32 dollars for an empty lot of one acre. I'm sure there are some homes within that area being used as residences that are paying (probably) less then the lot that I have. Well, that's not the problem that I have just now. Now, you're rezoning that area to a PB, I can not see ... INAUDIBLE ...that the requirement that you're going to get for PB and the requirements of the Business C varies very much."

Councilman Artale, "You mean land and land size and land uses?"

Joe Parrisi, "Usage, buffer, parking, drain pools..."

Councilman Artale, "I think it's just about the same."

Joe Parrisi, "Some are the same."

Councilman Prusinowski, "Except in the Business C there is among the permitted uses there is a retail store/shop. There is offices permitted also is Business C. Personal service shops like a barber shop, beauty parlor, professional studio, travel agency; of an area less than 4 thousand square feet. Dry cleaning or laundry service, radio and television broadcasting, theatre, vehicle repair, by special permit. Gasoline service station by special permit. Motels by special permit. Single-family residence; by special permit. Funeral homes, community center, bus passenger shelter, bank, financial institution, bakery, ice-cream, confectionary shop where products are made or sold, retail on the premises, a used motor vehicle and boat sale lot of which there are vehicles and boats on sale which are registered within New York State. Motor vehicles new and used car sales lots and boat sales rooms, motor vehicle and boat repair, trailers facilities, so forth and so on."

Joe Parrisi, "Now, I also.... Making this investment, I don't think.... There are many homes along this strip that you want to make PB which are zoned Business C. In order to be PB, they would have to meet the requirements."

Supervisor Janoski, "Any new construction would have to be built in such a way that as to meet the requirements of the code."

Joe Parrisi, "How about an existing home?"

Supervisor Janoski, "An existing could be converted to a office professional use. They would have to meet certain parking requirements. If they could not because of the restriction of the land, they would have to come for a variance for that. And also if it's a two-story structure, that the handicapped laws and regulations, they would have to do something about that."

PUBLIC HEARING Continued

Joe Parrisi, "I also... Part of this land that I own now is being used as an entrance to the post office. Ok. Now, I could create a havoc right there on 25 by closing that off. I have made them use that since 1972. Now, I can not see that the piece of property alongside the post office where you get 2 to 3 maybe 400 people driving in there today for their mail, that you are going to restrict me to a PB. For all I know, I cannot see that that piece of property could be zoned PB. Just by the amount of traffic that you just get from the post office. And you're not going to ask the post office to move. I would like the Board to reconsider. It's not only my welfare but my neighbor across the road who has almost 300 feet right there on the road. Now, if you're going to restrict that to just PB, there's a big investment that's going to go right down the drain. Now, I can see that you could maybe, if the Board will think about it a little longer... The two choice pieces of property on 25 that are Business C is my piece of property and Mrs. Hubbard across the road. Other than that, you're all jammed in. I hope that they (the Board) will reconsider it to let it end at Church Lane rather than bring it up to 500 feet that you're talking about."

Councilman Prusinowski, "Oh. I see what you're talking about."

Joe Parrisi, "As a matter of fact, it should be at Church Lane."

Supervisor Janoski, "Anything you say Joe certainly will be considered. When we actually do the zoning for purposes of discussion and identifying an area, we took the area that is presently zoned Business B and Business C. What are we going to try as much as possible is to conform to existing property lines. I don't know if that fits into you but I noticed this afternoon (I was looking at it) that the property line does not go that far past Church Lane. But certainly we will consider it."

Joe Parrisi, "Well, it's 500 feet according to the.... Which brings you to the Little Joe's Restaurant. I mean just past... Let's see 160 and 150, that's 310 and that's just a little past Little Joe's Restaurant. Why you picked that little section and you already have a Business C right in that area. You have Little Joe's. Now, I hope that I brought up a point that you sit down and very seriously think about. Thank you."

Supervisor Janoski, "Thank you Joe. Does anyone else wish to address the Board on the matter of the zoning in Aquebogue? Yes sir."

Ray Mckay, Main Road, "I have an existing business there now and I just want to know (how) if it's going to affect me in anyway, in case I want to increase my business or increase the size of the building. What kind of laws do I have to conform to then?"

Supervisor Janoski, "One of the things that I discussed with the Town Attorney recently (and I think I mentioned it to some of the members of the Board) was specifically related to farm stands. And it was an idea that if land is presently an Agricultural use,

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

that farmstands should be an allowable use. The worst that would happen would be that you have a pre-existing non-conforming and to expand that use, to rebuild that structure (which I understand in talking to your dad that you may want to do) would have to get a special permit from the Town Board."

Ray McKay, "Tell me. Do I have to have a peyton place look to it?"

Supervisor Janoski, "You would have to conform with the farmstand code as it presently exists which requires off-street parking."

Ray McKay, "Which I have ample parking there as it is now anyway."

Supervisor Janoski, "But whatever the code as it applies to farmstand, you would have to absolutely conform with that."

Ray McKay, "I mean I have to conform with the Town Board's..."

Supervisor Janoski, "Did you say Peyton Place?"

Ray McKay, "Yes. I would have to conform with... I'd have to go through the Town Board first to get the approval before I even go to the Zoning Board?"

Supervisor Janoski, "You wouldn't have to go to the Zoning Board unless you were not going to comply with the code as it is presently written for farmstands. What you would have to get from the Town Board is a special permit to expand a pre-existing, non-conforming use. If for example, you weren't going to be able (on your property) to meet the parking requirements as spelled out for farmstands, then you would to go to the Zoning Board. But you would have to go there anyway."

Ray McKay, "Ok. That answers one question. The other question is; you have another parcel of land that is in with this new proposal that you have here and that's Aquebogue cemetary. I mean do you have to be a professional man to be buried in there or is it going to be... Thank you very much."

Supervisor Janoski, "Does anyone else wish to address the Town Board on the matter of rezoning in Aquebogue? Yes Mr. Stillwagon."

Bill Stillwagon, Main Road, "I was just thinking along the lines of trying to keep the neighborhood and an attractive, residential type of look. If you have 2 very tall beautiful old houses like there are many there, with an empty lot in between and you're going to build a professional office building no higher than 15 feet, seems like that it would look a little out of place. Have you given any thought to that?"

Supervisor Janoski, "You certainly have to come up with that one."

PUBLIC HEARING Continued

Bill Stillwagon, "Well actually, it's Betty Brown's idea."

Supervisor Janoski, "Oh it is. Are you ashamed to come up here and admit that one? The purpose of the 15 foot requirement which is very restrictive, is to try to control the type of structure that appears in a transition area to a residential. What is odd about is that residential allows for 35 foot. I think the purpose here is to try to keep away from the massive professional multi story look. Now, you're right. In that kind of a situation it may not blend in that well. But it would blend in as well as a ranch house in between 2 three-story colonial houses. I don't know if that is a difficult problem."

Bill Stillwagon, "Ok. Thank you."

Supervisor Janoski, "Did I see your hand up Mrs. Brown?"

Betty Brown, Peconic Bay Blvd., "I just wanted to speak for the many, many grateful that came out a year ago to speak about the improvements on the Main Road in Aquebogue. I think the weather kept them back tonight but this is the direction that we wanted to see Aquebogue go. We're delighted that you're considering it now. And I hope that all the knots can be worked out for the people that will have problems. But for the future, it's exactly what we want and I thank you."

Supervisor Janoski, "Thank you Betty. The law says I have to recognize you."

Walter Binger, "I would just like to make clear for the record... Just for the record, what I discussed earlier has to do with what your white elephant that you're creating and possibly you're I'm the only one in the room with this situation. I don't have a pre-existing business. I don't have a residence. A beautiful structure with trees or a lot in front of my house or anything like that. I happen to live close to the Main Road. I happen to have disruptions in the middle of the night. And I'm sure Riverhead Police and what not I'm sure are doing their duty and the firemen and all kinds of things that go on down the Main Road. People off the Main Road don't possibly have disruptions like taking 15 minutes to get out of my own driveway some nights. We live with that and therefore, we want to keep in with what Aquebogue is now. And what it is now is all family run businesses. I'm, for one, would be fully acceptable for this type of idea. I am completely against the PB zoning as we read it tonight, as we kicked it around and as we've come up with it. I can't see any possible way where that PB overlay zone can be changed to meet the zoning and just blank the whole Aquebogue in one shot. Alright. Now, it all overlaps over the last year and a half and we all understand that we had a large turnout. And actually, I was disappointed in tonight's turnout over this but... We had a large turnout for the last business type zoning change on the Main Road in Aquebogue. I was against the (I'm against) heavy business in the area too. It's my home like I said before. But I do want to keep in the vein of what's there now. Family style businesses. I have one next door to me, one across the street. I have 2 of them."

PUBLIC HEARING ContinuedWalter Binger, Continued

Now, you're going to tell me that I have to look at these businesses but I can't have that type of business. Even though it will be identical. So you're trying to use a PB zone because it's the only thing in between business and residential as I see it. Let's not call it PB. Let's erase those letters and let's make a Business A zone or something to that effect. Let's not stick us with professional type businesses. We can have small businesses with lots spaces and requirements. Something that... Ok. You came... Somebody.... I think I just heard it. Resort type business. I read an article in the paper last week which I thought was kind of silly. Not last week but a couple of months. It was about the bed and board. Perfect Northfork. Grapes, vines, vineyards will bring out the tourists and we'll have bed and board and we'll serve them breakfast when they come out of their fine old houses that we have up on the Northfork. It's not allowable. You're taking one section of the town and saying; ok guys, you're restricted to ten different things and I don't care what the h--- they are. You're restricting me to ten things and saying that's it. Anything else is unacceptable. Make it so that it's a zone (I'm fully acceptable) similar to what is existing there now. Small business. The Deli, Nautique, whatever. Small. Square footage limitations. Whatever the heck you want to put on the building. The biggest building in Aquebogue is probably the Deli. Take that. That's the biggest building that you can put up. The rest of them got to be smaller than that. Something to that effect. Don't just say it's got to be professional offices. How many doctors, lawyers, indian chiefs are we going to find around here to keep filling these buildings? Because there is a heck of a lot of land you just blanked out and made one zone. We have already got that zone in Roanoke. And as I say, that suits the area. It's close to the courts. It's close to the Hospital. It's the corridor from town and in and out between the two. So therefore, it was acceptable to that type of zoning. I don't think what we're looking at is that type of zoning. That they should drive through Aquebogue and only see professional offices but then drive into Mattituck and see all these chain stores. So what are we saving? If we want agricultural land then knock down all the business down. Let's make it agricultural land. Don't parcel out the land. You can't spot zone because there are only 2 or 3 or 4 parcels that this whole d--- thing meets."

Supervisor Janoski, "You know, in our discussion in the hall, I think there's one thing that we can both agree on. That is that we both have different points of view of government and zoning and variances. Please do not call this spot zoning. Spot zoning happens to be very illegal. And I don't think the Board is engaged in illegal activity here."

Walter Binger, "I don't want to say that. But I don't know any other words to put it in. Joe. I'm not so eloquent. What I'm saying is that if you only got 3 or 4 parcels in the whole d--- area that it really suits..... Now let's call a spade a spade. If you want to knock out Business C and Business B, let's do it. Let's create a new zone. Business A. Don't say PB because it's ridiculous and restrictive for anything. When you sit and look at three

PUBLIC HEARING Continued

Walter Binger, Continued

businesses, you drive by four businesses to get into your house coming down the road, and then you're saying you can't be a business. It's kind of silly. It doesn't make sense."

Supervisor Janoski, "That's true of most of the zoning in the town that when they put the zoning in place (as the last town in the State of New York to do so) there was existing in the various zones business facilities or uses that did not fit in their zone. And they were all non-conforming prior existing uses. The Town Board has a goal. And I think you agree with the object that we have. Would you agree that Key Foods is a family run operation?"

Walter Binger, "No I wouldn't agree."

Supervisor Janoski, "It happens to be a family run operation."

Walter Binger, "Ok. In other words, Stanley..... As I said, limit it to similar sizes to what is existing. Similar for what is in the area. That's fully acceptable to me. I don't want to put up a keyfood. I don't want to put up anything else. But I don't want to be restricted to my property when it might be in between three more parcels of strictly business property."

Supervisor Janoski, "What we're trying to do is protect the area from over commercialization."

Walter Binger, "Correct. Business C. Knock it out. Go ahead."

Supervisor Janoski, "But what do we put in place? I want you to understand it."

Walter Binger, "Business A. Is there such a thing?"

Supervisor Janoski, "Business A does exist and it does allow for apartment houses, apartment complexes, garden apartments and a whole list of marinas which would be rather ridiculous on Main Road in Aquebogue."

Walter Binger, "Ok. Then we'll get another one."

Councilman Prusinowski, "Larry, he'll try though."

Walter Binger, "If I can interrupt you, if I can get from the first meeting (what I got out of the first meeting) and bring it back to this meeting which I'm sure I can. PB is not written. You're not going to take it as it is specifically written there. Alright."

Supervisor Janoski, "That was our starting point with the way it was written."

PUBLIC HEARING Continued

Walter Binger, "Correct. So therefore, you're not going to say that's it baby. We're buying that. You're going to go back and discuss it and change it. So you might as well call it something else."

Supervisor Janoski, "I will agree with the first part of your statement that we're going to discuss it."

Walter Binger, "In other words, you're saying you still may accept it as it's written exactly? Very possibly."

Supervisor Janoski, "That's a possibility."

Walter Binger, "But we (haven't) nobody has decided that yet and we haven't had a hearing on where we're going to use that zone at. But then why don't we create a new zone not PB? Why don't we create a zone that's acceptable to the area as it's developed now? I don't want a man that lives 4 blocks off the Main Road to tell me that I can't have a business when I have a business next door to me. It don't bother him. It bothers me."

Councilman Prusinowski, "What I'm hearing from you is that you would like some allowable retail uses in this zone."

Walter Binger, "Similar to what my neighbors are allowed. Isn't that what zoning is for? To keep residential near residential and business near business? That's what it's for and that's why there's large plots of land all together."

Councilman Prusinowski, "How about like automobile dealerships?"

Walter Binger, "There are areas for automobile dealerships."

Councilman Prusinowski, "I know. But I mean in this particular area which is allowed under Business B."

Walter Binger, "No. You're pushing to limit now. You're pushing the other way."

Councilman Prusinowski, "I just want to know what things should be allowed."

Walter Binger, "What I think should be allowed is exactly what I stated. Similar businesses to what's existing there now."

Councilman Prusinowski, "Like small retail."

Walter Binger, "Small retail stores acceptable. Similar in size to a residence. You can limit the size. 35 hundred square feet, an acceptable size. That's how big my house is."

Councilman Prusinowski, "That's what I was trying to get."

Walter Binger, "That's what I'm trying to say. Make a new zone. We got a zone that varies and obviously nobody is going to open a deli next to a deli. But small type businesses. Not just doctors, lawyers, and indian chiefs and you're limiting me to who the heck can buy my

PUBLIC HEARING ContinuedWalter Binger, Continued

property. I got it listed in the Newsday. It cost me 42 dollars for the ad to list everybody that can buy it. I'm not looking to sell it, again. I'm trying to make light of the situation. I want everybody to understand the new rules, the very ridiculous situation that this is going to create. You've limited me to say that I can only sell to some many people. You've discriminated against who I can sell it to if I want to sell it. Again, I'm not looking to sell it but I'm not looking to be bound up with my hands tied up behind my back if I have to or if my wife wants to open a beauty parlor which is what we came upon out in the hall. If my wife was a beautician and decides she doesn't want to work in Hampton Bays and wants to open up a beauty parlor in the house, it only takes one room. It isn't going to disturb my neighbors at all. Why the h--- can't I have it? Because I can't. I live in PB. Specifically, out of PB. That's the type of zoning this thing creates, the one that you are trying to use which (again, back to my original point) the zone as it is written is not meant to be used the way you people are going to try to use it. It meant (as I interpret it) to overlay over Agricultural A or over Residence. It's a little acceptable. It's acceptable to the neighbors, good. Go ahead with PB. It's not meant to take a zone that is already existing as Commercial with Commercial structures which cannot be cut and just go that's it baby. Nobody else can build anything just the guys that are already there. Alright? Thank you."

Councilman Prusinowski, "You're point is well taken."

Supervisor Janoski, "We have to get Marybeth first Joe because you've already spoken."

Marybeth Andresen, "First of all, I can understand where Wally is coming from. We came to you a year ago to restrict and not make Route 25 in Aquebogue look like Route 58 in Riverhead, we all had a conotation in our mind of what we knew that that land and a lot of it was already zoned Business C and B. We knew that and also there's Industrial in that area too. We knew that. What we were looking for was not just professional businesses. I'm a professional. My husband is a professional. We're not looking. We were looking for the lovely little Donald Denis grouping, the small little deli, the home-run (maybe possibly) lovely antique store in somebody's two-story home. We were looking for the family run. I know Entemann's is a family run business too. Look at them now. They're (inaudible)like a madman. But what we were looking for was the parson who would be restrictive and would not be opening up a commercial enterprise per say. So maybe we need a Business D zone. We've got a B,C,D. Well, why don't we go for an E in Aquebogue. Whatever. And with that, a PB along with that. I'm sure that we could, with more discussion and possibly being a little bit more fair to the people of Aquebogue, who might have not come out this evening because there is a traveler's advisory and you were advised to stay home. They're having a public hearing so such magnitude as this this evening. I mean I have a big truck but not everybody and there are people who are elderly who have enough trouble getting out in the evening when the weather is good. This could be postponed for further discussion or it could be postponed for a decision so that write-ins could be taken into consideration

PUBLIC HEARING ContinuedMarybeth Andresen, Continued

and that's one thing. The other thing, I have to disagree with Mr. Parrisi. Mr. Parrisi lives in Southold. He owns the one acre adjoining the Aquebogue post office. I live on Church Lane. I walk four miles a day past the Aquebogue post office quite a lot. And it's probably, next to Route 105 in Aquebogue, the most dangerous intersection than Church Lane and Route 25. Be it for the 400 cars in the post office, be it for also the way the road is shaped there, it gets very narrow because of the cemetery and because you're coming down a hill at quite a good rate of speed and there's not a lot of passing on the right hand side when you are going east. It's a very bad intersection. I would hate to see another commercial establishment put next to it. Little Joe's is there as a pre-existing, non-conforming use. Mr. Parrisi has a vacant piece of property. Ok. I'm sure if a gentleman came into tonight and offered him a hundred thousand dollars for a doctor's office to be built there, it would be sold. I would hate to see it more commercial than it could be within this PB business. Whatever we want to call this type situation. Because I just think that that corner cannot handle too much more. Thank you."

Supervisor Janoski, "Joe, it's your turn."

Joe Parrisi, "I don't know what the lady's name is. You know, I could create a turmoil right on Church Lane."

Supervisor Janoski, "Joe, you have to address your remarks to the Board."

Joe Parrisi, "Ok. I could create a turmoil on Church Lane. Now, the lady said; coming down the main highway at any rate of speed, if they didn't have my entrance, they would never get in there. That's my problem. And she is stopping me from putting up any kind of business on my property. Who is she? Or you? Let me ask you another thing. You are down grading this property from C to PB. Would you call that a down grade?"

Supervisor Janoski, "I would call it an up zoning." Some people would call it a down zoning but who knows."

Joe Parrisi, "Alright. Now, will the taxes be changed because of this (either) up zoning or down zoning which every way?"

Supervisor Janoski, "It certainly would be reflected on what would happen to the value of the property."

Joe Parrisi, "Ok. And that is a piece of valuable property and I cannot get any money for it. Is that what you're going to tell me? Just give it to the town. I don't know yet what I'm going to do with that little driveway that they have but when I get back from vacation, I'll decide."

Supervisor Janoski, "The post office driveway?"

PUBLIC HEARING Continued

Joe Parrisi, "Yes. And I'll write to the post office and say to them, build your own driveway."

Supervisor Janoski, "Do you know who owns the adjoining property?"

Joe Parrisi, "The post office? There's some people here in Riverhead that own the post office."

Nancy Binger, Main Road, "Two points that I just wanted to point out. A year ago when they had the question about rezoning some property down further on Route 25, those people bought residential property. It was zoned residential. You're in a little different situation when you buy something expecting it to be what it is and then have that taken away. They were in kind of the same situation. I would guess, a little bit different. I personally, can't understand at least not having professional buildings just to have a residence on the Main Road because there are just too many drawbacks to just have a house there just to live without having a professional building or some type of family business there. There's a lot of traffic from the businesses there. That was their prerogative. They bought residential property. We bought business property. I think most people would agree that the PB zoning is a little bit restrictive and I don't know what you can do to change that. One point that I would like to make if I can show you the map, Riverhead has its own business section and Jamesport has its own business section and if you make this all PB, Aquabogue will actually have no real business section of its own. I don't agree that you should allow a shopping center to go in there or you know. There isn't one parcel of land except for.... And I'm not sure who owns it. Maybe that's the piece you were talking about Donald Denis on the corner of Union Avenue. Does one person own that all the way to the other side of John Murcer's?"

Councilman Prusinowski, "Across the street?"

Nancy Binger, "No. That's on the north side of the road."

Councilman Prusinowski, "Heading east on the on the other side of Union Avenue you're talking about?"

Nancy Binger, "Heading east of Union Avenue. That's the only real big connective parcel that anything big could go in."

Supervisor Janoski, "It's a 194 acres."

Nancy Binger, "Right. And one person owns that? The rest of us all have small parcels. So you're not going to put anything huge there. You know. Except for some kind of family type business or something smaller. But I think just the PB zone is just a little bit too restrictive."

Supervisor Janoski, "As I told you, I called just today from a person who wants to build a shopping center on that parcel."

PUBLIC HEARING Continued

Nancy Binger, "Well, personally, because I bought this piece of property and I knew when I bought it that anything could go next door... You know, I bought the property with that intention. As for the good of Aquebogue, no. There's enough room up in Riverhead."

Supervisor Janoski, "You do understand that the Board is acting on behalf of the good of Aquebogue."

Nancy Binger, "I do understand that. And it's hard to make everybody happy. Maybe you could try a little bit more to make it more even. Thank you."

Walter Binger, "I'm seem to follow her everywhere. A point has to be made here. Victor did it before the me and Joe, you just did it to my wife. We're not talking about.... You keep jumping on the big businesses. Keyfoods you said to me before. Marybeth had mentioned Entemann's. We're not saying, when we say it is a family business, that should be a giant corporation. Let's not alienate the few people that are still... This is a meeting. We're here to knock it around. Ok? Let's not take the extreme points all the time to alienate Kenny from me. Kenny knows that I got business. Kenny Zahler. And he's got business. I don't blame them. I don't want a d--- shopping center in the front of my house either. But I'm sure he would be acceptable if I were to give up my shopping center and say; let's put a beauty parlor up. Let's use that for an example. Let's not use the big business. Nobody wants a big business. There's one parcel of land that has enough room for big business. But you're going to knock him out no matter what you do. Whether it's PB of Business SF, small family. No more than 12 hundred square feet for every family member or something to that effect. I don't know what the heck you're going to do. I'm just saying make a new zone."

Supervisor Janoski, "That's the difficulty..."

Walter Binger, "You've got a Main Road location. You got businesses already existing there. I got a business as I said before and I want to repeat it. I'm trying not to repeat myself. How the heck can we have businesses on three sides of us and not be allowed to have the same similar business on my parcel of property. Whether it's a farmstand... Granted Ray.... We have the Homeside Florist situation. It's not a business but it's not a business. That's a funny situation. Ray's got a busy farmstand. Heck, I would take 50% of it anyday. He's got a heck of a lot of cars stopping there. In and out all day long. And you're saying to me that I can only have a professional man in my building? I have next door to me Skelly. In and out all day long. Skelly Doroski. Skelly's farmstand across the street from Ray's. I use to tell everybody I lived next door to Skelly's. Now I tell everybody I live across from Ray's. Everybody knows where that is. That's true you know. But I own part of Skelly's parking lot. The people park on my front lawn in actually. And you're telling me I can't do what I want with that property. I can't run an a similar size business. They're not businesses. Ok. Let's not get into that arguement. It's a business that has people. How do we say it? People coming in and out all day long."

PUBLIC HEARING Continued

Councilman Prusinowski, "High traffic."

Walter Binger, "High traffic. There's a good way to say it Vic. You've got a high traffic store, situation. That's a good way. A high traffic situation next door to me yet I can't have the similar high traffic situation on my property."

Councilman Prusinowski, "Well, sometimes if you have 4 or 5 high traffic situations in a row. Then you become congested."

Walter Binger, "But we have laws for that also don't we? Parking laws. They'll meet them. I'm sure they'll meet them. What I'm saying is that's what everything else is written for. Heck. We need a traffic light in Aquebogue. I haven't heard that mentioned anywhere. It's a state road. It doesn't belong in this meeting. But heck, if they don't slow down going past my house, in a year I won't be able to get out of my house at all. I mean we're talking 55 miles an hour. It's the Main Road. You have got a blinking light at the school. Nobody pays attention to it. They come down at 55 miles per hour, I'm not going to pull out of my driveway. But that's high traffic. That's a different thing. That's not zoning. That has to do with traffic flow, curbing, off street parking."

Supervisor Janoski, "That has to do with zoning."

Walter Binger, "Alright. Alright. We're creating a new zone again. I'll go back to it. I've erased PB. I don't expect the Town Board to say PB after all this discussion tonight. I expect them to call it "SF" or "QZ" or anything else but what's in that book. Because what's in that book is highly restrictive and I don't think you can do that. When it was written, it was written for a different purpose. I'll repeat that again. It was highly restrictive for a certain purpose. It was meant for a house in the middle of the block. It wasn't meant for a whole area."

Supervisor Janoski, "We could talk about what was in their mind. I read you what the purpose was as it clearly says what the purpose was."

Walter Binger, "Why was it made an overlay? Why wasn't it made a regular zone then?"

Supervisor Janoski, "It was created as to be a transitional area between high density, business and residential."

Walter Binger, "And residential. Correct. We have all business along Aquebogue. What do we need it for?"

Supervisor Janoski, "You know, what bothers me (and we've known each other for a long time) is that you are viewing this entire thing from the ownership of your single house."

Walter Binger, "How else can I do it? It doesn't affect Ray. It doesn't affect Larry Galasso. It doesn't affect him. How the h--- else can I look at it?"

PUBLIC HEARING Continued

Supervisor Janoski, "I understand that."

Walter Binger, "It's a majority rule situation. This is the Town Board meeting. I'm in the minority. So I've got to be a little louder of them because they aren't going to argue with you at all. They're going to let you go make it PB. They don't care. It doesn't hurt the existing. It doesn't hurt the people of residential. It doesn't hurt anybody but the small(few) people that have a small piece of land which cannot be developed..."

Supervisor Janoski, "That's better."

Councilman Prusinowski, "Listen to your wife."

Supervisor Janoski, "Now he's leaning more forward now."

Walter Binger, "I don't believe she did that."

Supervisor Janoski, "She takes care of you."

Walter Binger, "I just backed off. See the way we think. I knew she was coming. In other words, I don't want to be in it. I'm still trying to avoid that Joe. I don't want to mention even where I live or what parcel of property, or who lives next door to me and I (don't like to) don't have anything against any of my neighbors."

Councilman Prusinowski, "He's next to Skelly's and across from Ray's."

Walter Binger, "I don't have any arguments with anybody. I just want to know what the h--- you're giving me. If it's the only one it affects, then I'm the only one that's going to argue with you Joe."

Councilman Prusinowski, "I think you made your point clear and I certainly understand where you're coming from and we've taken the notes and have to consider it."

Walter Binger, "I want Joe to say that they're in consideration of it. After all it is..."

Supervisor Janoski, "Absolutely. The purpose of this hearing is to consider everything that we've heard."

Walter Binger, "I think you throw that whole thing away whatever you're trying to use. You're trying to use an existing to shorten the time period I'm sure. To use something that's already in the code. But it doesn't fit. It doesn't fit in this situation."

Supervisor Janoski, "I think the motive as it progressed, what we considered was; property values. And when you come down to the bottom line, that's what you're concerned (worried) about. Yes, no maybe?"

PUBLIC HEARING Continued

Walter Binger, "No."

Supervisor Janoski, "What... You are..."

Walter Binger, "I own it right now. I'm not an architect Joe. What do I do with it after I change the zone?"

Supervisor Janoski, "Well, you're living in it now, right?"

Walter Binger, "But what do I do with it?"

Supervisor Janoski, "Do you want to sell it?"

Walter Binger, "No. Not particularly."

Supervisor Janoski, "Do you want to continue to live there?"

Walter Binger, "I want some options Joe. I don't want to shut my mouth, sit back and have it changed to PB. Then I got nothing to do with it but sell it to a lawyer. There are businesses existing there. Let me (inaudible) myself. Joe, Joe listen. I'll repeat it again. There are businesses existing there, small businesses. They are fully acceptable to me. They drive up on my lawn, I don't care. There is no problem (I have no problem) with these existing businesses. I don't expect to build a super shopping center. I don't think anybody has plans for a super shopping center. Again, the only reason I got back on this darn mike is stop saying do you want to see a shopping center. None of us do that live there now. I don't think there is anybody there. I own the land that it can be done on Joe. And I don't want to see it there. So don't tell me I'm worried about my land values."

Supervisor Janoski, "I'm just trying to figure out what..."

Walter Binger, "Alright. Don't tell me it's land values. Because I'm not fighting that. I'm saying; go ahead change it but don't change it to that because it stinks."

Supervisor Janoski, "Mrs. Brown."

Betty Brown, "I think that the man has made his point and we will have to look a little further to accomodate him. I don't think anybody that wants Aquebogue rural, wants to offend anyone in a situation that he's in. Is it possible to change the zone and have it some sort of a special permit written in for someone sandwiched in among other businesses? Or perhaps contact the people in Terrytown and ask them what we could do in a situation like this for zoning people..... (Inaudible) I'm sure there is an answer here and I don't think anyone would be offended with a small beauty shop, with a tiny antique shop or whatever he would like to do with his parcel. I don't think he cares about future land values."

Supervisor Janoski, "The problem that we have is this. Is that I would agree with you and what Jeff McGann has done with that old gas station is beautiful for the community of Aquebogue. However, it is a retail operation. And the problem is defining and delineating between

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

those types of retail operations that (we can all agree) would be nicer in the area and those that we don't want. And how do we restrict them? How do you say Jeff McGann is fine but I don't want a McDonald's. That's difficult. It's a difficult task that you have assigned to us but we're going to try to do it I'm sure because I really do understand where you're coming from."

Man from Audience, Spoke from audience. Inaudible.

Supervisor Janoski, "I know that. But I agree with it. And perhaps we can sit down if it is the wish of the majority of the Board, to try to consider something else. Special Permit. Does a special permit sound good?"

Betty Brown, "Could we possibly include some type of special permit that allows some type of businesses or retail shops that we do wish to have. They do that in Massachusetts in certain areas."

Supervisor Janoski, "The Town Board can set it up anyway it wants to. Now if it's challenged in court, somebody throws it out. But we can do just about anything we want to as far as setting it up. And believe me, we want to make as many people as happy as we can. But you have to understand that our intentions is not to hurt anybody but to try to protect the very lovely area that you live in. And it was, as I think has been pointed out, the discussions of previous rezonings that attracted our attention to that corridor that many of the things that we don't want to see happen, we're perfectly allowable in that area. So I hope that in our discussions which will ensue as a result of this hearing that we will knock it around and see what we can come up with as far as an idea."

Betty Brown, "Thank you."

Supervisor Janoski, "Yes."

Nancy Binger, "Do you have a certain date set that you're going to make this decision by?"

Supervisor Janoski, "No. The normal course of events when something is not controversial, is to act on it at the following Town Board meeting. I would wager that this will not be acted upon at the next Town Board meeting."

Nancy Binger, "I was just wondering if (you know, being) that the PB was kind of...."

Supervisor Janoski, "However, one of the problems is that you have got to realize is that if that person who wants to build a shopping center gets in here and puts in an application, that there is nothing we can do to stop him."

Councilman Artale, "In the meantime."

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PUBLIC HEARING Continued

Supervisor Janoski, "Unless you put on a moratorium."

Nancy Binger, "I was just wondering if you're going to kick it around then for a while."

Councilman Artale, "A moratorium would restrict everything. You can't do anything in that area for the length of the moratorium."

Nancy Binger, "I don't know if I agree with that because I don't know what it is really."

Supervisor Janoski, "It doesn't affect you. You're already approved."

Nancy Binger, "But..."

Councilman Prusinowski, "New applications."

Nancy Binger, "But I was just concerned. Is this something that is going to be adopted like within this week?"

Councilman Prusinowski, "What I would suggest.... No. We suggested to the previous speakers is if you have some specific ideas, write them down and give them to the Town Board so we can have something to look at. Ok. I've heard a lot of thoughts, so let's put them in writing and get them to us."

Supervisor Janoski, "Many of the ideas that we've gotten tonight are good ones. We understand what you see to be searching for and which is a quaint business usage. Now our problem is how the h--- do we develop a code for that? Maybe we can do it. Quaint."

Lady from audience, "Quaint businesses."

Supervisor Janoski, "Yes, quaint businesses. Is there anyone else who wishes to address the board on the matter of the rezoning in Aquebogue? Well, thank you for that. This meeting is adjourned."

8:05 PUBLIC HEARING CLOSED AT 10:37

Supervisor Janoski, "The Board has been here for several hours and if there is no objection...And believe me, there's nothing controversial in the resolutions, I mean there is nothing. We're going to pay some overtime. We're going to approve a site plan."

Councilman Artale, "Change the next Town Board date."

Supervisor Janoski, "Yes. We're going to change the next Town Board meeting date to the 26th because everybody is going to be away on the 19th. What I would like to do if no one has any objection, is to move resolutions 89 through 107. Whatever the number is, that's what I would like to do."

Councilman Prusinowski, "Mr Supervisor, I move resolutions number 89 through 127."

Councilman Lombardi, "I'll second it."

RESOLUTIONS#94 RE-SCHEDULES FEBRUARY 19, 1985 MEETING OF THE RIVERHEAD TOWN BOARD

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, due to the attendance of several Town Councilmen and the Town Clerk at the 1985 Association of Towns Meetings to be held in New York City, February 17th through 20th, it is necessary that the regularly scheduled Town Board Meeting of February 19 be re-scheduled to Tuesday, February 26 at 7:30 p.m. in the Town Board Meeting Room.

NOW, THEREFORE, BE IT RESOLVED, that the February 19th meeting of the Riverhead Town Board be and is hereby re-scheduled to Tuesday, February 26th at 7:30 p.m., and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below public notice regarding this change.

PUBLIC NOTICE
TOWN OF RIVERHEAD

PLEASE TAKE NOTICE, that the regularly scheduled Riverhead Town Board Meeting of February 19, 1985 has been re-scheduled to Tuesday, February 26, 1985 at 7:30 p.m. to be held in the Town Board Meeting Room, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York.

BY ORDER OF THE RIVERHEAD TOWN BOARD
IRENE J. PENDZICK, TOWN CLERK

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#95 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS ON STREET LIGHTS-STREET LIGHTING DISTRICT

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of Street Lights for the use of the Town of Riverhead Street Lighting District, and be it

RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:15 a.m. on February 19, 1985, and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby designated to open publicly and read aloud on February 19, 1985 at 11:15 am at the Town Clerk's Office, Town Hall, 200 Howell Ave. Riverhead, New York all sealed bids bearing the designation, "Bid on Street Lights".

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RESOLUTIONS, continued:

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#96 AUTHORIZES TOWN CLERK ADVERTISE FOR BIDS ON ONE USED WALTER SNO FIGHTER, 1964 OR NEWER

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of one (1) Used Walter Sno Fighter, 1964 or Newer for the use of the Town of Riverhead Highway Dept., and be it

RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 a.m. on February 19, 1985, and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby designated to open publicly and read aloud on February 19, 1985 at 11:00 a.m. at the Town Clerk's Office, Town Hall 200 Howell Avenue, Riverhead, New York all sealed bids bearing the designation "Bid on One (1) Used Walter Sno Fighter, 1964 or Newer".

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#97 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD RE: LEGAL STENO

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, due to the anticipated maternity leave of absence of the sole clerical employee of the Office of the Town Attorney, it is now necessary for a Help Wanted Ad to be displayed for the position of Legal Stenographer.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Help Wanted Ad in the February 7, 1985 issue of The News Review.

TOWN OF RIVERHEAD
HELP WANTED AD

The Town of Riverhead is seeking a qualified individual to serve in the position of Legal Stenographer. Applicants must have a High School Diploma or Equivalency Certificate; at least one year's experience in taking and transcribing of legal dictation; a good knowledge of legal terminology, the general course of legal proceedings and legal forms. Interested individuals must submit an application to the Office of the Supervisor, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, weekdays between 8:30 a.m. and 4:30 p.m.. No applications for this position shall

RESOLUTIONS Continued
 be accepted after Friday, February 15, 1985. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age and handicapped status in employment or the provision of services.

BY ORDER OF THE RIVERHEAD TOWN BOARD
 IRENE J. PENDZICK, TOWN CLERK

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.
 The resolution was thereupon declared duly adopted.

#98 AUTHORIZES INCREASE OF ACCOUNT CLERK TYPIST-ACCOUNTING DEPT.

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, Lori U. Pipczynski was appointed to the position of Account Clerk Typist in the Accounting Department on a probationary basis, effective February 6, 1984,

WHEREAS, Lori U. Pipczynski has satisfactorily completed her one (1) year probationary period,

NOW, THEREFORE, be it

RESOLVED, that Lori U. Pipczynski be appointed to the position of Account Clerk Typist, Group 7, Step 1 as per the CSEA Salary Administration Schedule, at an annual salary of \$13,961.49, effective February 6, 1985.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.
 The resolution was thereupon declared duly adopted.

#99 ACCEPTS RESIGNATION OF PART-TIME DRIVER OF "MEALS ON WHEELS" PROGRAM

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, due to medical reasons ELIZABETH MULLER did submit her letter of resignation from her position as part-time Driver of the "Meals on Wheels" Program.

NOW, THEREFORE, BE IT RESOLVED, that the resignation of ELIZABETH MULLER from her position of part-time Driver of the "Meals on Wheels" Program be and is hereby accepted effective January 30, 1985.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.
 The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued#100 AUTHORIZES OVERTIME COMPENSATION FOR CHEESE DISTRIBUTION

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.
WHEREAS, surplus cheese was distributed to Riverhead residents on Saturday, February 2, 1985.

NOW, THEREFORE, BE IT RESOLVED, that the following employees receive time and one-half overtime compensation for said distribution.

VERNA CAMPBELL	4 Hrs. @\$ 10.0321 = \$40.13
MONIQUE CAWLEY	4 Hrs. @\$ 15.5992 = \$62.40
VICTORIA VOURAKIS	4 Hrs. @\$ 12.7630 = \$51.05

BE IT FURTHER RESOLVED, that the Office of the Supervisor seek State reimbursement for all costs incurred from said distribution.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#101 APPOINTS NEIGHBORHOOD AIDES TO ROTATION SCHEDULE

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, by resolution #715 dated November 20, 1984, this Town Board did establish a rotating schedule of individuals to serve as part-time Neighborhood Aides with the Riverhead Teen Center, and

WHEREAS, since that date, three of the individuals appointed have advised this Town Board that they will no longer be able to serve as part-time Neighborhood Aides.

NOW, THEREFORE, BE IT RESOLVED, that the names of Carolyn Hogan, Sylvester Gilliam, and Deborah Tuck be withdrawn from the rotation schedule of Neighborhood aides for the Riverhead Teen Center, and

FURTHER, BE IT RESOLVED, that the following individuals be appointed to the rotation schedule of part-time Neighborhood Aides at the Riverhead Teen Center at the hourly rate of compensation of \$4.50 effective February 5, 1985.

SHARON FREW
TAMMY HARNED
JEFFREY SIEVERS

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS continued#102 AUTHORIZES OVERTIME COMPENSATION FOR MAINTENANCE EMPLOYEES

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the following employees of the Maintenance Department be paid time and one-half overtime compensation.

LAWYER JACKSON	12 Hrs.	@\$ 12.7218	- \$152.66
CHARLES BROWN	4 Hrs.	@\$ 12.7218	\$ 50.89

FURTHER, BE IT RESOLVED, that the explanatory report relating to aforesaid overtime be filed in the Office of the Town Clerk.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#103 AUTHORIZES OVERTIME COMPENSATION FOR BUILDING DEPT. EMPLOYEE

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, That the following employee of the Riverhead Building Department be paid time and one-half overtime compensation.

JAMES DELUCCA	13 Hrs.	@\$ 20.4517	= \$264.87
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FURTHER BE IT RESOLVED, that the explanatory report relating to aforesaid overtime be filed in the Office of the Town Clerk.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#104 APPROVES SITE PLAN OF L.P.B. WADING RIVER, INC.

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, a site plan was submitted by L.P.B. Wading River, Inc. for a building permit for an office building to be located on Route 25A, Wading River, New York, and

WHEREAS, this Town Board has reviewed the site plan submitted as prepared by Mark Michaels, Architect, dated January 4, 1985,

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by L.P.B. Wading River, Inc. for a building permit for an office building to be located on Route 25A, Wading River, New York, as prepared by Mark Michaels, Architect, dated January 4, 1985, be and is hereby approved, subject to the following:

RESOLUTIONS Continued

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

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

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

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

5. Trash receptacles of a decorative design shall be maintained at the premises.

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No parking, Handicap Only", and the universal symbol affixed thereto.

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade.

8. That the Town Board may designate fire zones as they may see fit and it is agreed that the owner of the premises shall sign any and all documents as may be required to designate fire zones.

9. Subject of NYS Department of Transportation curb cut approval.

10. Subject of Suffolk County Health Department approval.

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to L.P.B. Wading River, Inc. and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION made the ___ day of _____, 1985, by L.P.B. Wading River, Inc., a New York Corporation with offices at _____ Declarant,

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

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the

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RESOLUTIONS Continued

owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office, and

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

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

4. Trash receptacles of a decorative design shall be maintained at the premises.

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station staing, "No parking, Handicap Only", and the universal symbol affixed thereto.

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade.

7. That the Town Board may designate fire zones as they may see fit and it is agreed that the owner of the premises shall sign any and all documents as may be required to designate fire zones, and be it further

IN WITNESS WHEREOF, the Declarant has hereunto set his hand and seal the day and year above written.

L.P.B. Wading River, Inc.

By: _____

RESOLUTIONS Continued

STATE OF NEW YORK)

COUNTY OF SUFFOLK) ss.:

One this ___ day of _____, 1985, before me personally came _____, _____ of L.P.B. Wading River, Inc., a New York Corporation, owner of certain real property located on Route 25A, Wading River, New York, owner of the subject property of the declaration and covenant herein; that he did read the above declaration and covenant and understands its contents; that he was so directed by the Board of Directors of said corporation to sign the declaration and covenant; that he did swear to me that he executed same.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#105 TRANSFER OF FUNDS-TAX RECEIVER

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the Supervisor be, and hereby is, authorized to transfer the following:

GENERAL TOWN	FROM	TO
A1330.402 Tax Receiver Rate Sheet	\$109.00	
A1330.200 Tax Receiver Equipment		\$109.00

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#106 AWARDS BID FOR TRAFFIC SIGNS-HIGHWAY DEPT.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, The Town Clerk was authorized to advertise for bids for Traffic Signs for the Highway Department, and

WHEREAS, on the 29th day of January, 1985, all bids received were opened and read aloud, and

WHEREAS, two bids were received, and

WHEREAS, Capitol Highway Materials, Inc. submitted the lowest bid

NOW, THEREFORE, BE IT

RESOLVED, that the bid for Traffic Signs be and is hereby awarded to Capitol Highway Material, Inc. Route Six, Baldwin Place, N.Y. 10505, in the amount of \$11,413.08

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued#107 AWARDS BID FOR ONE (1) USED CENTRAL ENGINEERING VAC-ALL

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, the Town Clerk was authorized to advertise for bids for one (1) Used Central Engineering Vac-All 1969 or Newer for the use of the Highway Department and

WHEREAS, on the 29th day of January, 1985, all bids received were opened and read aloud, and

WHEREAS, two bids were received, and

WHEREAS, the Highway Superintendent has recommended the purchase of the Central Engineering Vac-All, Model E5-16, and

WHEREAS, the Central Engineering Vac-All, Model E5-16 is the lowest bid received meeting the specifications,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for one (1) Used Central Engineering Vac-All 1969 or Newer, be and is hereby awarded to Sam Allen's Modern Machinery, Inc. Route 25, P.O. Box P, Coram, New York 11727, in the amount of \$7,000.00.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#108 AWARDS BID FOR ONE (1) USED 1983 CHEVROLET PICKUP

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, The Town Clerk was authorized to advertise for bids for one (1) Used 1983 Chevrolet Pickup, Model K-20 or Equal for the use of the Highway Department, and

WHEREAS, on the 29th day of January 1985, all bids received were opened and read aloud, and

WHEREAS, one bid was received, and

WHEREAS, the Highway Superintendent has recommended the purchase of the 1983 Chevrolet used pickup, without trade-in

NOW, THEREFORE, BE IT

RESOLVED, that the bid for one (1) Used 1983 Chevrolet Pickup, Model K-20, be and is hereby awarded to Kinney Chev/Olds., Main Street, Riverhead, New York, in the amount of \$9,500.00

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#109 AUTHORIZES OVERTIME-HIGHWAY DEPARTMENT

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for

RESOLUTIONS Continued

overtime for a total of 833 hours in the amount of \$7,083.68, in accordance with personal services abstract submitted and filed in the office of the Town Clerk.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#110 AUTHORIZES OVERTIME COMPENSATION - SANITATION DEPARTMENT

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, That the following employees of Riverhead Sanitation Department be paid time and one-half overtime compensation:

FRANK COLUMBUS	-	10½ hours @ \$15.61 = \$163.91*
WALTER O'KULA	-	10½ hours @ \$12.07 = \$126.74*

FURTHER RESOLVED, that the explanatory report relating to the aforesaid overtime submitted by the Superintendent of the Sanitation Department be filed in the office of the Town Clerk.

The vote, Boschetti, yes, Artale, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#111 AUTHORIZES OVERTIME COMPENSATION - ACCOUNTING DEPARTMENT

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the following employees of the Accounting Department be paid time and one-half overtime compensation:

VICTORIA VOURAKIS	4.25 hours @ \$12.1550 = \$51.65 = \$93.12
	3.25 hours @ \$12.7630 = \$41.47 = \$82.94
LORI PIPCZYNSKI	5.25 hours @ \$ 9.6852 = \$50.84 = \$145.47
	9.25 hours @ \$10.2310 = \$94.63

FURTHER RESOLVED, that the explanatory report relating to the aforesaid overtime submitted by the Accounting Department be filed in the office of the Town Clerk.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#112 AUTHORIZES SUPERVISOR TO EXECUTE ADDENDUM TO 1985/86 CSEA CONTRACT

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, the clause of the 1983/84 CSEA contract regarding

RESOLUTIONS Continued

the use of personal days was inadvertently omitted from the 1985/86 CSEA contract, and

WHEREAS, this clause is more particularly described as Section 4e (Personal Leave) on page 4 of the 1983/84 CSEA contract, and

WHEREAS, it is the agreement of this Town Board and the CSEA Union that said clause be included in the 1985/86 CSEA Contract.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute an addendum to the 1985/86 CSEA contract causing the inclusion of the above referenced clause, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Russell Fleischman, President, Town of Riverhead CSEA Unit.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#113 AUTHORIZES THE SOLICITATION FOR BIDS FOR UNIFORM CLOTHING
POLICE DEPARTMENT

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Artale.

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of Uniform Clothing used by the Riverhead Police Department and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids on February 19, 1985 at 11:50 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York; and to make a report of said bids to the Town Board at the next meeting following the opening of the bids.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#114 AUTHORIZES THE SOLICITATION FOR BIDS FOR NEW 1985 "MINI-VAN"
TYPE VEHICLE FOR THE ASSESSORS OFFICE

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk be and hereby is authorized to advertise of sealed bids for the purchase of New 1985 "Mini-Van" Type Vehicle used by Riverhead Town Assessors Office, and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids on February 19, 1985 at 11:30 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York; and to make a report of said bids to the Town Board at the next meeting following the opening of the bids.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes,

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued#115 AUTHORIZES THE SOLICITATION OF BIDS FOR NEW 1985 PICK-UP TRUCK

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of New 1985 Pick-Up Truck for use by they Riverhead Dog Pound and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids at 11:40 a.m. on February 19, 1985 at Town Hall, 200 Howell Avenue, Riverhead, New York; and to make a report of the results of said bids to the Town Board at the next scheduled Town Board meeting following the opening of the bids.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#116 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: A PROPOSED LOCAL LAW ADOPTING A LOCAL FEE FOR DOG LICENSES

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to adopting a proposed local law adding a local fee to dog licenses.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 26th day of February, 1985, at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons with regard to the following proposed local law adding a local fee to dog licenses:

The local fee of Two Dollars and Fifty Cents (\$2.50) shall be added to and be an additional charge to all State fees charged for all dog licenses.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#117 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING: AMENDING CHAPTER 107 OF THE RIVERHEAD TOWN CODE, RE: WETLANDS, FLOODPLAINS AND DRAINAGE

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to amending

RESOLUTIONS Continued
Chapter 107 of the Riverhead Town Code, Re: Wetland, Floodplains,
and Drainage.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 26th day of February, 1985, at 7:55 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following proposed amendment to Chapter 107 of the Riverhead Town Code, "Wetlands, Floodplains, and Drainage", as follows:

107-6 Application for permit.

A. All applicants for a permit to do any of the acts permitted or prohibited by Sections 107-4 and 107-5 shall present an original and three (3) copies of the permit application, together with other required information, to the Town Clerk. All applications and copies thereof must be accompanied by or include the following information and payment of a Ten Dollar (\$10.00) application fee.

107-9. Notice of violation; penalties for offenses.

G. In addition to any penalties, fines, forfeitures or injunctions that may be imposed pursuant to this Section 107-9, an applicant who files an application for a permit pursuant to Section 107-7, after a violation of this chapter has occurred, shall pay an application fee of One Hundred Dollars (\$100.00) in lieu of the Ten Dollar (\$10.00) application fee provided for in Section 107-6.

*Underscore indicates addition.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#118 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: AMENDMENT TO SECTION 101-10.1 OF THE RIVERHEAD TOWN CODE, "PARKING, STANDING AND STOPPING PROHIBITED"

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk if hereby authorized to publish and post the below Public Notice with regard to amending section 101-10.1 of the Riverhead Town Code, "Parking, standing and stopping prohibited", Riverhead Plaza Shopping Center.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 26th day of February, 1985, at 8:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to

RESOLUTIONS Continued

hear all interested persons with regard to the following proposed amendment to Section 101-10.1 of the Riverhead Town Code, "Parking, standing and stopping prohibited:

101.10.1 Parking, standing and stopping prohibited.

The parking, standing or stopping of vehicles is hereby prohibited in certain locations as follows:

Street/Area	Side	Location
Riverhead Shopping Plaza, Tax Map #104-2-16		Along curbs immediately adjacent to the buildings at the Riverhead Shopping Plaza, as well as adjacent to any building or along any fencing located at the rear of the buildings.

*Underscore indicates addition.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#119 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: AMENDING SECTION 101-25 OF THE RIVERHEAD TOWN CODE, "PARKING METER ZONES"

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to amending Section 101-25 of the Riverhead Town Code, "Parking meter zones", Peconic Avenue.

PUBLIC NOTICE

PLEASE TAKE NOTICE THAT a public hearing will be held on the 26th day of February, 1985, at 8:15 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following proposed deletion to Section 101-25 of the Riverhead Town Code:

101-25. Parking Meter zones.

A. Creation of zones. Parking meter zones are hereby established on highways as follows:

Street	Side	Location
Peconic-Avenue (Route 24)	Both	Between-its-intersection-with Main-Street-(Route-25)-and-the Riverhead-Southampton-Town-line.

*Running line indicates deletion.

RESOLUTIONS Continued

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#120 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: ADDITION TO SECTION 101-21 OF THE RIVERHEAD TOWN CODE, "AUTHORITY TO IMPOUND VEHICLES"

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to an addition to Section 101-21 of the Riverhead Town Code, "Authority to Impound Vehicles".

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 26th day of February, 1985, at 8:25 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following addition to Section 101-21 of the Riverhead Town Code:

101-21. Authority to impound vehicles.

D. When any vehicle is parked in a metered stall for more than one hour after metered time has expired.

* Underscore indicates addition

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#121 RESOLUTION RE: ADDITION TO SECTION 48-10 OF THE RIVERHEAD TOWN CODE, "LITTERING PROHIBITED, PECONIC RIVER"

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, a public hearing was held on the 15th day of January, 1985, to hear all interested persons with regard to the proposed addition to Section 48-10 of the Riverhead Town Code, Littering prohibited, Peconic River, and

WHEREAS, all those persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the following addition be made to Section 48-10 of the Riverhead Town Code, as follows:

48-10. Littering Prohibited.

A. Not person shall throw, deposit or abandon litter on any beach or adjacent property or waters, along the Peconic River,

RESOLUTIONS Continued

or any creek, inlet, pond or river, whether public or private
or whether owned or not owned by such person.

*Underscore indicates addition

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes,
Lombardi, yes, Janoski, yes.
The resolution was thereupon declared duly adopted.

#122 AUTHORIZES INCREASE OF RECREATION AIDE - RECREATION DEPARTMENT

Councilman Prusinowski offered the following resolution,
which was seconded by Councilman Lombardi.

WHEREAS, Jane Donack was appointed to the position of Recrea-
tion Aide in the Recreation Department on a probationary basis,
effective February 13, 1984,

WHEREAS, Jane Donack has satisfactorily completed her one (1)
year probationary period,

NOW, THEREFORE, be it

RESOLVED, that Jane Donack be appointed to the position of
Recreation Aide, Group 10, Step 1 as per the CSEA Salary Adminis-
tration Schedule at an annual salary of \$15,306.56, effective
February 13, 1985.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes,
Lombardi, yes, Janoski, yes.
The resolution was thereupon declared duly adopted.

#123 ENTERS INTO AGREEMENT WITH DAVID LESSARD, RE: SAMPLING
OF CLAM BEDS IN CONDITIONAL AREAS

Councilman Prusinowski offered the following resolution,
which was seconded by Councilman Lombardi.

WHEREAS, one June 19, 1984, David Lessard agreed with the
Town of Riverhead for an amount of \$1,500 to administer and con-
duct the seed clam program, and

WHEREAS, David Lessard sampled conditional areas for the
Department of Environmental Conservation certification with re-
gard to the certification for clam beds in conditional areas, and

WHEREAS, David Lessard has performed this sampling,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized
to enter into an agreement with David Lessard for an amount of
\$1,500 regarding the sampling of the conditional areas for the
Department of Environmental Conservation certification for clam
beds in conditional areas, and be it further

RESOLVED, that a certified copy of this resolution shall
be forwarded by the Town Clerk to David Lessard.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes,
Lombardi, yes, Janoski, yes.
The resolution was thereupon declared duly adopted.

2/5/85

RESOLUTIONS Continued#124 APPOINTS KAREN HEPPNER LEGAL STENOGRAPHER

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, due to a classification job audit performed by the Suffolk County Department of Civil Service, it is now necessary to reclassify the position of Stenographer in the Town Attorney's Office to Legal Stenographer,

NOW, THEREFORE, BE IT

RESOLVED, that Karen Heppner, currently holding the position of Stenographer in the Town Attorney's Office is hereby transferred to the provisional position of Legal Stenographer in the Town Attorneys Office, Group 5, Step 3, at an annual salary of \$13,798.75, effective Monday, February 4, 1985.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#125 AUTHORIZES SUPERVISOR TO EXECUTE LICENSE AGREEMENT, RE: HALLOCK LUCE, III

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, Hallock Luce, III, is the owner of property located on the south side of Second Street, Riverhead, New York, which property abuts the Riverhead Parking District, and

WHEREAS, Mr. Luce desires access to the parking lot for pedestrian use only, and

WHEREAS, Mr. Luce will pay as a license fee an annual amount equal to the amount of the taxes which would be paid to the Riverhead Parking District #1 if the property were in such District,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute a license agreement with Hallock Luce, III, providing for pedestrian access to Mr. Luce's property in return for payment of an amount equal to the taxes for Parking District #1 which would be paid in the event the parcel were in the Parking District, which agreement shall be terminated by either party on 90 days written notice, and be it further

RESOLVED, that the Town of Riverhead shall install a gate which shall be kept locked by Mr. Luce at such times as he shall deem appropriate, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Hallock Luce, III.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

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RESOLUTIONS Continued

#126 TRANSFER OF FUNDS, TOWN CLERK'S OFFICE

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the following funds be transferred in the Town Clerk's Account:

	<u>FROM</u>	<u>TO</u>
Contractual A1410.400	\$117.52	
Equipment A1410.2-0		\$117.52

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

#127 AUTHORIZES PARKING EXPENSE OF EILEEN FENTON RE: ASSN. OF TOWNS MEETING

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the parking expense of \$65 incurred by Eileen Fenton, in order that she may confirm registration of attendees at the Association of Towns Meeting in New York City, February 17, 1985 through February 20, 1985, be and is hereby authorized, and

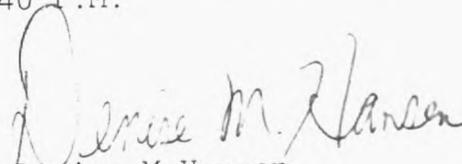
BE IT FURTHER RESOLVED, that said expense is to be receipted upon her return.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion or vote the meeting was adjourned at 10:40 P.M.

DMH:nm


Denise M. Hansen
Deputy Town Clerk