

Minutes of Public Hearing regarding Change of Zone propositions brought about by the Town Board of the Town of Riverhead to be held on the 11th day of February, the first public hearing to begin at 7:00 p.m.

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

Also Present: Richard Ehlers, Town Attorney

Supervisor Janoski called the meeting to order and the Pledge of Allegiance was recited.

Supervisor Janoski, "Let the record show that the hour of 7:30 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 7:00 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, February 11, 1985, at 7:00 p.m. at Riverhead Town Hall to hear all interested persons regarding: The Proposed Addition to the Riverhead Town Code to be known as Article 28, Office/Service District.

CORRESPONDENCE

1. Suffolk County Planning Department, 2/7/85
Application is considered to be a matter for local determination
2. Riverhead Planning Board, 2/11/85
Memo regarding Change of Zone and Office/Service District

THE FOLLOWING IS A LETTER FROM THE RIVERHEAD PLANNING BOARD SUBMITTED TO AND READ BY IRENE PENDZICK.

The Planning Board, in general, agrees with the principle of the proposed rezoning as opposed to the current random development possible. However, the Board has had very little time to compare this proposal with the recommendations for the Route 58 corridor made by Raymond, Parish, Pine & Weiner, Inc. (R.P.P.W.).

We feel that there are extremely sensitive drainage areas in this proposed rezoned area which should have no development whatsoever. (Refer to R.P.P.W. Study A-Plan for the Route 58 Corridor: p.4, #6; p.5, #7, p.14; p.23, paragraph B; p.25, #4; p.35, #9)

Even though an additional extension of the present moratorium might be interpreted by some as a lack of resolve on the part of the Town Board, we feel that such an extension for an additional sixty (60) days to reconcile the final ordinance with the Route 58 Corridor Study of R.P.P.W. would prove of great benefit to the Town in the long run.

PUBLIC HEARING Continued

Incidentally, is there any particular reason why the entire triangle of land between Northville Turnpike, Oliver Street, and Route 58 was not included in this rezoning? Likewise, the small parcel on the east side of Northville Turnpike to be changed to Residence C? The proposed ordinance also makes no mention of the fact that new construction, other than residences, should be of steel or masonry construction as prescribed when areas are within the "Fire Limits".

In the future, we would appreciate the opportunity to discuss proposed zoning changes prior to public notification."

PB:js

cc: Town Attorney, Town Clerk, Richard Hanley, Robert Scheiner.

Supervisor Janoski, "Thank you. Mr. Town Attorney would you like to explain the purpose of the first hearing? Oh. Ricky would you like to explain the subject of the first public hearing?"

Richard Hanley, "Thank you Mr. Supervisor. It has been a stated policy of the Riverhead Town Board to begin the task of revising the Town's Master Plan. One of the areas that has been of particular concern..."

Supervisor Janoski, "Ricky, I hate to interrupt you but for the record, would you tell us who you are?"

Richard Hanley, "My name is Richard Hanley. I am the Town Planner. One of the original areas of concern relative to this planning effort was the Route 58 corridor. The corridor runs from west to east for a distance of approximately 4 miles from the Long Expressway terminus to County Road 105. The corridor is considered to be a major business area within the town and presently has a variety of uses which include; industry, general business uses, retail uses and service related uses. The creation of a new land use plan for the Route 58 corridor was a response to concerns voiced by both public officials and private individuals with respect to the corridor itself. The concerns included the physical appearance of the corridor, the condition of marginal properties within the corridor, traffic flow and traffic safety within the corridor, the relationship of Route 58 to the Riverhead Hamlet, protection and expansion of the town's tax and employment base. In order to address these concerns that were voiced, the town hired (retained) the services of the planning firm of Raymond, Parish, Pine and Weiner to develop a land use plan for Route 58. The results of that planning effort are highlighted on the map behind me. Generally what the planners conceived of was a corridor which segmented (was segmented)..."

Supervisor Janoski, "Ricky, you can take the microphone off the stand."

PUBLIC HEARING Continued

Richard Hanley, "...which was segmented with respect to certain specific land use types. As you can see, this purple area is industrial use to take advantage of the Long Island Expressway terminus. The pinkish color is a highway commercial use just to the east of the industrial use. The central part of the Route 58 corridor was conceived of as a shopping center retail use and the eastern portion of the corridor was to be set aside for office service use. The office service use is the subject of tonight's hearing. In concluding the planning study for the future land use within Rte. 58, the planners found a number of interesting trends. They found that the need for additional commercial space is dwindling as regional population slows, that individuals are making more use of central business districts as a result of energy conservation behavior, that with a population growth of 32% between 1980 and 1995 period, there still exists an excess of land zoned for commercial use within the Town of Riverhead and that 70% of the land zoned for commercial use within the Route 58 corridor is currently vacant or unutilized, that the expansion of the Central Suffolk Hospital will encourage the construction of ancillary office space, that growth and regional office development is likely to be concentrated around existing areas of general business activity and that office development generally strengthens nearby commercial activity. Due to the existence of these trends and office service district as proposed for the eastern portion of the Route 58 corridor, is expected that this zoning district will preserve the low density characteristics of this portion of the corridor. It will expand tax and employment base of the Town of Riverhead and it will support the present commercial activity existing in the corridor. The maps on the easel behind me detail by lot line the existing zoning within the area under consideration tonight and the proposed zoning for this same area. The Town Board is here to enter any comments concerning this proposed zoning change. Thank you."

Supervisor Janoski, "Thank you Rick. Let me point out that the (zone) creation of the zone and its uses are available here. There is a stack in the front of the room should anyone wish a copy of that. And the purpose of this public hearing (the first one that we are in tonight) is to hear testimony concerning the creation of the zone and that is to add it to the Town Code as a zone. It does not exist presently in the Town Code. There will be further hearings this evening on the rezoning of the various areas along the corridor. In this first hearing we are looking for input concerning the creation of the zone, adding it to the Town Code. Let me point out that the Town Board is to hear testimony concerning the proposals which will be raised this evening. It is nothing more than that. It is a proposal. We want your help, your input and your advice. We are here to take heed and to listen to what it is that the public has to say about this proposal. We are not here to debate the question nor to answer questions. The Town Board in its deliberations at public hearings, exercising a 5 minute rule. And that is, that each speaker will have 5 minutes to express his opinion. Also let me point out, that no person may speak a second time until everyone in the room wishing to be heard and we can go back to the beginning again. Let me emphasize again, that we are to receive your input and that is of course, we need (once again) your help and advice. Having said that, I will recognize anyone wishing to be heard on the matter of the creation of the office service zone. Yes sir."

PUBLIC HEARING Continued

Dick Benedict, Fanning Blvd., "Since I have a residence in the close proximity of this so called zone change and we have residential land to the north and to the south of it, I am in favor of it. I would not want to see another Centereach or Selden in that area. I think, since the residential and agricultural already exists to the north and the south, I think it's a fine idea. Thank you."

Supervisor Janoski, "Thank you. Does anyone else wish to address the Board on the matter of the creation of office service zone? That being the case,..... This hearing is going to be recessed until March 5th at which time it will be opened once again. And then of course, closed. This will give adequate time for the submission of all SEQRA reports which must be forth coming. The next scheduled public hearing is at 7:30 I believe. So that we will now recess... We won't start the next hearing until 7:30. We can not start it ahead of time. The previous hearing is already recessed. Anybody wishing to have a cigarette, a drink of water, go to the boys or girls room, feel free to do that. I know John and I are going to do that for the next 15 minutes."

MEETING PAUSED UNTIL THE TIME FOR THE 7:30 PUBLIC HEARING.

Supervisor Janoski, "The meeting will come to order. Let the record show that the hour of 7:31 has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 7:30 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, February 11, 1985, at 7:30 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Change of Zone of the Route 58 Corridor from the existing Agriculture A, Res. C., Bus. B, and Bus. C Zoning Use Districts to Office/Service District.

CORRESPONDENCE:

1. Suffolk County Dept. of Planning, 2/7/85
Requesting additional information and recommendations of the Town Planning Board.

Supervisor Janoski, "Thank you Mrs. Pendzick. Would you like to give a brief discription of the subject?"

Richard Hanley, "Good evening, my name is Rick Hanley. I am the Town Planner. The area that is up for discussion tonight, is an area that begins on the east side of Oliver Street and extends to County Route 105. It involves a change from existing Business B, Residence C, Business C and Agriculture A to a new zoning category known as Officer/Service Use District. The maps that you see in front of you are a depiction of the existing zoning and as well as the proposed zoning. The tan salmon color being the new Office/Service zone. What we've tried to do with the laying out of details of

PUBLIC HEARING Continued

Richard Hanley, Continued

this particular zone, was to follow lot lines wherever possible and not split parcels into 2 zoning districts and they're here for your inspection. If you can't see them from where you're sitting, I'm here to answer any questions about them as well. Thank you."

Supervisor Janoski, "Thank you Rick. I would recognize anyone who wishes to be heard at this time concerning the rezoning of Route 58 corridor from Oliver Street to Rouet 105."

Gerry Heingartner, Kinney Chevrolet, "I apologize for being late. I just walked in here (I guess) at the time that you're asking this question and I have a couple of questions of my own that perhaps you can or cannot answer at this time. Number 1; maybe in my tardiness of being here, I didn't hear originally why this was done. When this suggested change of zone was done...."

Supervisor Janoski, "If I could also just... You missed my explanation of the hearing procedure. And that is that the Town Board is not here to debate nor to answer questions concerning the rezoning. However, I am sure that Ricky would be happy to explain any questions that you might have."

Gerry Heingartner, "OK. Then the only thing I can say at this time, that from the standpoint of a property owner in Riverhead and a taxpayer, that we are opposed to this zone change until such time we have had time for further information."

Supervisor Janoski, "Let me point out for your information that the uses, the proposal of the zone itself, are right there in front. So you may want to take a look at it."

Gerry Heingartner, "Thank you."

Supervisor Janoski, "And for the rest of you that came in late, the Office/Service zone of the proposal; its purpose and intent and the uses is contained in the handout which is right here in front of the room. I will recognize anyone wishing to be heard on the matter of the zone change. I'm sorry Ma'am."

Mrs. Melvin, Oliver Street, "I have been a resident on Oliver Street in that vicinity all my life and I enjoy the peacefulness of that and I am deeply opposed to any shopping center being stuck up in front of our front windows. It disturbs our privacy."

Supervisor Janoski, "If you would just raise your hand so that you can be recognized. That way we won't have that kind of confusion."

Dale Young, Oliver Street, "I'd like to discuss the zone change from the Residence C to Business C. Do I do that now or do I wait?"

Supervisor Janoski, "No. That's a future hearing."

PUBLIC HEARING Continued

Dale Young, "I thought so but I just wanted to make sure."

Supervisor Janoski, "Thank you. That will be this evening. What we are hearing testimony on is the rezoning of the Office/Service category in the area from Oliver Street.... The rezoning area was from Oliver Street to Route 105. Although Office/Service does not occupy all of that strategy area. Does anyone else wish to be heard? Mr. Stillwagon."

Bill Stillwagon, Route 25, Aquebogue, "The only question I really have is on number 14. The area between where Doctor's Path and 105 comes. That section in between there is the most dangerous area as far as traffic is in the whole township of Riverhead. It has been so for some time and is documented in all the Suffolk County reports. On number 14 with the restaurants which also include catering facilities, seems like that is a real high traffic type of situation and I wish you would review that. And also, I wonder why are we having this meeting on a Monday night and not at a regularly scheduled Town Board Meeting?"

Supervisor Janoski, "There's nothing improper in that Mr. Stillwagon. As a matter of fact, it's to your benefit that we are not having this at a Town Board meeting because you have the whole night to consider this one subject."

Bill Stillwagon, "No. I didn't mean to assume that it was improper. Does it have anything to do with the moratorium? Does the moratorium end tonight?"

Supervisor Janoski, "Yes it does."

Bill Stillwagon, "Ok. Do you have to make a decision on this tonight before the moratorium ends?"

Supervisor Janoski, "No. As a matter of fact, if you were here before you would have heard me recess the first meeting until March 5th."

Bill Stillwagon, "Ok. Great. Thanks a lot."

Supervisor Janoski, "I will recognize anyone else wishing to be heard at this time. Mr. Tooker."

Robert Tooker, Attorney, "I represent Shamrock Properties who is the owner of the parcel on Route 58 and is the contract vendee of another parcel on Route 58. Prior to this hearing I talked to Mr. Hanley about the property at the intersection of Route 58 and Northville Turnpike. And as Mr. Hanley said earlier tonight, the effort was to change the zoning use districts along property lines. The property line for the owners of the site of the Peconic Bank is not really where the site of the Peconic Bank is. The Peconic Bank is located on approximately an acre. The owners of that property own 5½ acres. 4½ of those acres are under contract of sale or under an option to my client. And although Mr. Hanley is absolutely correct as to the change of and zoning use district being made at the property lines. It is the intention of my client to combine together that property, the 4½ acres that is not actually used by the Peconic Bank in conjunction with his project on the bulk of that property."

PUBLIC HEARING ContinuedRobert Tooker, Continued

And I request that the board give some consideration to relocating that line so that it follows the actual line of the Peconic Bank and not the line of the ownership of the property that includes the Peconic Bank and some additional property. Thank you very much."

Supervisor Janoski, "Thank you Bob. I would recognize anyone else wishing to be heard on the proposed change of zone to Office/Service on the Route 58 corridor. Betty. You have to come up here and state your name. What are you going to testify on?"

Betty Edwards, "I wanted to speak about the change of zoning from small business to all office service. I have a very loud voice, so if I blast your ear drums with this mike, it's not deliberate."

Supervisor Janoski, "First, blast us with your name and address."

Betty Edwards, 916 East Main St., "I'm not a native daughter of Riverhead. I'm not here because I was born here and therefore, I am here. I am here by choice. I came to Riverhead on an investment and saw a town I considered loaded with potential. Absolutely loaded. I am in business in Riverhead for about 7 years. Not exactly but approximately 7 years. I saw tremendous potential. I saw a town that had just about everything. Very little woods being used. In the past 7 years a great deal has happened. Good things. I am sure that the people involved in this zoning change (which I hope doesn't happen) are very diligent and very sincere to give it great thought and it looks good. It sounds good. But I have found that many things that sound good in theory, are not so good when it is tried to be put to practical use. I think it's great that you projected to the future but you have to live in the present. In the future someday, there may be a need for all that office space. When in the future? I don't know. For some of us, the future may be no longer than one year. None of us know what our life span is. I think we have to live now and survive now. And I think that anything that stunts the growth of the town, is not in the best interest of the town. I think this is discriminatory against the smaller entrepreneur. I want to say also because I'm misquoted so often. I'm trying to be so careful that I almost can't express myself. And for me, that's a rarity. I am for the big shopping center at the duck farm. From what I have been told, the town is planning, I think it would only be a great benefit. I am also for the small entrepreneur. The guys and gals that cannot afford what it would cost to open a retail outlet in a great shopping plaza. The square footage is prohibited. There are many upward mobile people who are not in that financial bracket. But through being able to afford a store (retail outlet, let's call it by its technical name) in a smaller area or in an individual area. I don't see anything wrong with a small store, one store springing up. And I don't see anything wrong with an office building alongside of it or down the from it. I think more important than what is with one another is the compatible of design. And all of us in Riverhead know that this town has a department which reviews every building before the ground is broken and you can have a compatibility of design between an office building, a shopping plaza and individual stores. We'll have revenue. Retail outlets bring people in. And whatever

PUBLIC HEARING ContinuedBetty Edwards, Continued

brings people in to buy in a business way, is very good for Riverhead. And I have a lot more to say but I think I've gotten my idea across. I think that... I don't wish to imply (Joe) that I think anyone deliberately was discriminatory against the small entrepreneur. Definitely not. I know some of you and know your sincerity and that you really really want things to work very well. But it is. Sometimes there is an aspect of a situation which we don't think of. It happens to me and it happens to everyone. And I think that that's the biggest thing about this. The two things that I don't agree that you cannot have an office building and a retail outlet next door to one another. That's one of the things. And even more important than that, I believe that when you stunt the growth of the retailers, you are stunting the growth of a community. You are keeping money out of the community. You are keeping people out of the community. And I don't think that is what Riverhead needs. We have been known as an economically deprived area. When I first opened my office in Riverhead my sister called me. She was reading the New York Times in Valley Stream where she lives and she said: Sis, what's wrong with you? You are opening an office in an economically deprived area. I didn't even know that. I was here but I didn't know it was economically deprived. I found out a lot of things afterwards and I'm glad I didn't know it at the beginning because I would not have stayed. I'm glad I stayed. I have to learned to love Riverhead and I want to see what is good for Riverhead just as you do. And this is how I perceive it. If you keep business out, if you discourage business, you are stunting the growth of Riverhead which is now my community. We need office space too. But again, I'm going to say one more thing. That's a projection we will need it but we (right now) do need. We need the small entrepreneur. We need the big entrepreneur. We need the light industry. We need whoever can come in here with money and make Riverhead grow....."

TAPE ENDED

Betty Edwards, "...effort and sincerity and love turned the whole township around from economically deprived to a thriving, busy, prosperous township. That's it."

Supervisor Janoski, "Thank you Betty. Let me just correct one little thing that you said. The Town Board is not planning anything as far as a shopping center or a mall. There are people who would like to build it. It's not the Town Board's plan. That's the way you put it. I just want to correct that for the record."

Betty Edwards, "Wait, wait. Am I understanding it incorrectly?"

Supervisor Janoski, "The Town Board is not planning to build anything on Route 58. I wish that I had the money to but..."

Betty Edwards, "If I implied..."

Supervisor Janoski, "Well that's what you said and it's on the record and I just want to straighten it out."

PUBLIC HEARING Continued

Betty Edwards, "Thank you Joe because that's not what I meant."

Supervisor Janoski, "Ok. Thank you."

Betty Edwards, "I meant that I understand that there is such a plan."

Supervisor Janoski, "Yes there is."

Betty Edwards, "Not that the Town Board is building it. I would love to be able to too. But I have to be on the side of the small entrepreneur because I am too."

Supervisor Janoski, "Betty we have a five minute rule. Thank you. Let me take the opportunity because the Planning Board communication was read into the record. Since the question of a triangle was brought up in this testimony, it seems unfortunate to me that the Planning Board does not understand the litigation implications of a rezoning of a Business B parcel of property and changing it out from under someone after a proposal has been along on its way. I would recognize anyone else who wishes to be heard. Henry. Henry I am sorry. They told me that the next hearing was at (8:45) 7:45. I just thought it was at 8 o'clock. Let the record show that the hour of 7:51 has arrived. The 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 11, 1985 at 7:45 p.m. at Riverhead Town Hall to hear all interested persons regarding: The Change of Zone of Property Located at the Southwest Corner of Northville Turnpike and Middle Road from Agriculture A to Residence C.

CORRESPONDENCE:

1. Suffolk County Dept. of Planning, 2/7/85
Requesting additional information and recommendations of the Town Planning Board.
2. Town Planning Board, 2/11/85
Recommendation that property in question remain Agriculture A zoning. (Letter to be read into record)

Supervisor Janoski, "If I may just inquire, when is the next public hearing? 8 o'clock. I would recess this particular hearing and continue with the first hearing."

7:45 PUBLIC HEARING RECESSED AT 7:52

Supervisor Janoski, "Henry, why don't you come back up. I'm sorry I didn't mean to make you walk all the way back."

PUBLIC HEARING Continued

Henry Saxtein, Attorney, "Good evening members of the Board. I represent Genovese Drug Stores, Inc. who is the owner of a parcel of property located at the southeast corner of Northville Turnpike and Route 58 in Riverhead. Genovese Drug Stores, Inc. has owned this parcel of property for over 10 years. The parcel is a little bit over 37 acres in size. It has over 670 feet on Route 58 and approximately 746 feet on Northville Turnpike and the lot has an average depth from Route 58 of a little over 1000 feet. My client has held this property for a number of years in order to develop it in Riverhead when the time was proper. They have in the past year, attempted to develop it and they have attracted people to develop it with them. They were in the process of developing this property this past Summer and this past Fall when the Town Board originally imposed their moratorium on the development here in this area. And because of that moratorium, that one plan that they had for development did not come to pass. They do have other plans to develop this as a business use but they have not been able to attract anyone with the current climate of the moratorium or the current proposed Office/Service district use. Although this property has been on the market for 10 years, they have only now received people who are interested in developing it for business. There has never been any interest in this property to be developed for offices. All of you gentlemen are familiar with Riverhead. And although, we do have a shopping center on 58 that is expanding, you only have a finite amount of area on 58 and this area is not all Business B at the current time. And I realize that on the western part of Route 58 that part being west of Route 58 and Pulaski Street that you would like to have light industrial growth and non-business growth. Therefore, you're setting a cap on the western end of Route 58. If you put a premature cap on the business growth on the eastern side of Route 58, you're going to alter this area without any other escape valve for Business B. Especially if you're not planning anymore in this immediate area. The Route 58 corridor is a natural area for this business growth and especially at this intersection. I understand that you would like to in this planning stage, make your zone change along lot lines as they are now existing and that is a good planning point so we don't have large parcels stratteling two different districts. However, I think that you should consider also the natural boundaries of traffic flow such as the intersection of Route 58 on either Route 25 or Route 105 as a cut off for the Business B as it just about currently exists. That would be the logical cap to use for the Business B zone. I'd also like you to consider that if you do cap this Business B, there isn't any other area with a road network that could provide any growth for a shopping center especially an area that is within the Riverhead Water District and as close as this area is to the Riverhead Sewer District. Additionally, I would like you to consider the impact of offices on the Riverhead Water District and the Riverhead Sewer District. If you were to build offices (as you have suggested) in this area, there would be a much greater impact on the water district and sewer district than a shopping center would have. Additionally, I would like you to consider the need of offices at the present time in Riverhead. Although Mr. "Martirano" is putting up new offices here on Main Street, (and I do not know what his vacancy rate has been there) that there hasn't been a great demand for new offices in such a large area as you have planned. And for these reasons and for the reasons that Riverhead is a growing business area, I feel that you should consider the existing Business B zone in this area. Keep it in this area.

PUBLIC HEARING ContinuedHenry Saxtein, Continued

And if you do decide that you want to put in an Office/Service District zone, that you put it in another area that might be on a feeder street or an area that wouldn't be in this prime business area. I think that if you want to keep the business here and make the community attractive to business, you should permit it to expand in this area that has the roadways and has the other businesses there to attract the people from the surrounding areas."

Supervisor Janoski, "Thank you Henry. There is one minute remaining before I must call the next public hearing. So why don't we just wait out that minute. Let the record show that the hour of 8:00 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:00 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, February 11, 1985 at 8:00 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Change of Zone of Property Located on the East Side of Oliver St., from Residence C to Business B.

CORRESPONDENCE

1. Suffolk County Dept. of Planning, 2/7/85
Requesting additional information and recommendations of Town Planning Board.
2. Town Planning Board, 2/11/85
Letter to be read into record.

Supervisor Janoski, "I'm going to recess this hearing until we're finished with the one we are presently engaged and that is concerning the rezoning of the Route 58 corridor to Office/Service in those areas where that applies. I re-open that public hearing. Is there anyone else who wishes to be heard or address the Board on that rezoning proposal? That being the case, I will again recess that meeting to March 5th which is the evening of a regularly scheduled Town Board meeting."

7:45 PUBLIC HEARING WAS RECESSED AT 8:02 UNTIL MARCH 5th.

Supervisor Janoski, "I will re-open now the public hearing concerning the rezoning of (I believe it's) Agriculture A to Residence C. Ok. Ricky would you put that out on the map?"

Richard Hanley, "The area that's in question being considered by this particular zone change is presently zoned Agriculture A. It is the southwest corner of Middle Road and Northville Turnpike. The proposed zoning would make that area Residence C which is contiguous with an existing Residence C zoning area. (Inaudible) wetland in the area an any development in those zones would have to be (inaudible) impacts on those wetlands."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you Rick. Is there anyone who wishes to address the Board on the matter of the rezoning of the southwest corner of Middle Road and Northville Turnpike from Agriculture to Residence C? Sir you have to come up to the microphone. Please state your name and address."

August Rosano, Valmont Homes, "I got here probably a little late but I heard this young man mention the property of Northville Turnpike and I own a piece of property that's on Northville Turnpike and just north of Elton Street. And that was advertised in the newspaper and I'm only concerned that you're trying to make a zoning for office. My property is presently or was zoned Business and it is being changed to Residence C. I'm only questioning why would it be changed to Residence C when I'm in business and I primarily want to build offices there. I'm presently engaged in a piece of property now on Roanoke Avenue where we're going to build office space there and we had hoped to continue over there. So I'm just voicing my opinion. I'm not trying to argue with the town. It's presently zoned business which I'm sure if I came in here and asked to put office space here, I kind of felt that I would be granted that. So I'm here only questioning why is being put Residence C when it's presently business which would probably be suitable for offices. That's all I have to say."

Supervisor Janoski, "Ricky."

Richard Hanley, "I think the problem is that his gentleman is referring to is the subject of an additional hearing this evening. I think it's the last hearing on the agenda."

August Rosano, "Well, I'm sorry. I came in late."

Richard Hanley, "He came in late so he didn't know."

Supervisor Janoski, "Mr. Rosano, I will recognize you later when the proper hearing comes up. There's only one more. So you will know. This is a hearing concerning the rezoning from Agriculture to Residence C on the southwest corner of Middle Road and Northville Turnpike. Is there anyone who wishes to address the Board on that matter? That being the case, ... Oh yes. Before we recess this, will you please read into the record the letter from the Planning Board."

THE FOLLOWING IS A LETTER FROM THE RIVERHEAD PLANNING BOARD AS SUBMITTED TO AND READ BY IRENE PENDZICK.

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on February 7, 1985;

WHEREAS, the Town Board of the Town of Riverhead proposes a change of zone of premises located at the southwest corner of Northville Turnpike and Middle Road from Agriculture A to Residence C, and

WHEREAS, the proposed change of zone would allow for development on plats of 20,000 square feet thereby doubling the presently allowed density, and

WHEREAS, this proposal would be in contravention of the present Master Plan, and

PUBLIC HEARING Continued

WHEREAS, the Town Board of the Town of Riverhead shall hold a public hearing on the 11th day of February, 1985 at 7:45 p.m., regarding the aforementioned change of zone, now

THEREFORE, BE IT RESOLVED, that this Board recommends to the Town Board of the Town of Riverhead that premises located at the southwest corner of Northville Turnpike and Middle Road, Riverhead bounded and described as follows:

BEGINNING at a point on the west side of Northville Turnpike, which point is 600+ feet north of County Route 58, thence proceeding 766+ in a northerly direction to a point (the southwest corner of the intersection of Northville Turnpike and Middle Road); thence proceeding west along the south side of Middle Road 1,950+ feet to a point; thence proceeding in a general southeasterly direction 1,305+ feet to a point; thence proceeding in an easterly direction 1,000+ feet to the west side of Northville Turnpike, the point or place of BEGINNING: remain Agriculture A zoning, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Town Board of the Town of Riverhead, the Town Attorney of the Town of Riverhead, and the Town Clerk of the Town of Riverhead, and

BE IT FURTHER RESOLVED, that a copy of this resolution be made a part of public record at the public hearing to be held on the 11th day of February, 1985 at 7:45 p.m.

Supervisor Janoski, "Thank you Mrs. Pendzick. I will now recess that hearing until March 5th, the evening of a regularly scheduled Town Board Meeting."

8:00 PUBLIC HEARING WAS RECESSED UNTIL MARCH 5TH MEETING.

Supervisor Janoski, "I will now re-open the public hearing concerning the rezoning from Residence C to Business B on Northville Turnpike. Ricky would you please."

Richard Hanley, "The area that is under consideration for zone change is on the east side of Oliver Street. As can be seen on this map, it's the yellow strip here which is the existing zoning; Residence C. The proposal is to change that to Business B which is all blue."

Supervisor Janoski, "Thank you Ricky. Irene would you want to read that letter in now so we don't forget it."

THE FOLLOWING IS A LETTER FROM THE RIVERHEAD PLANNING BOARD AS SUBMITTED TO AND READ BY IRENE PENDZICK.

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on February 7, 1985:

WHEREAS, the Town Board of the Town of Riverhead proposes a change of zone of premises located on the east side of Oliver Street, Riverhead from Residence C to Business B, and

WHEREAS, the proposed change of zone would cause the entire triangle of land between Oliver Street, Route 58, and Northville Turnpike to be one use district, and

PUBLIC HEARING Continued

WHEREAS, premises on the west side of Oliver Street are presently zoned Business B and Residence C, and

WHEREAS, the area on the west side of Oliver Street zoned Residence C is developed by single family residences, and

WHEREAS, the subject premises contains or is near wetlands in need of environmental protection, and

WHEREAS, the Town Board of the Town of Riverhead shall hold a public hearing on the 11th day of February, 1985 at 8:00 p.m., regarding the aforementioned change of zone, now

THEREFORE, BE IT RESOLVED, that this Board recommends to the Town Board of the Town of Riverhead that premises located on the east side of Oliver Street, Riverhead bounded and described as follows:

BEGINNING at a point on the east side of Oliver Street which point is 292+ feet south of the County Route 58; thence proceeding 1,655+ feet in a southerly direction along Oliver St. to the intersection Northville Turnpike with Oliver Street; thence proceeding north along the west side of Northville Turnpike 200+ feet to a point; thence proceeding in a northwesterly direction 1,000+ feet to a point; thence proceeding in a westerly direction 200+ feet to the point or place of BEGINNING: be rezoned business B subject to the following conditions:

1. That all development be done in accordance with Chapters 107 and 108 of the Code of the Town of Riverhead;
2. That limited access onto Oliver Street be maintained;
3. That at the time of development, there be no commercial establishment fronting onto Oliver Street;
4. That the length of Oliver Street, facing the residential area, be developed with a mature planting buffer; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Town Board of the Town of Riverhead, the Town Attorney of the Town of Riverhead, and the Town Clerk of the Town of Riverhead, and

BE IT FURTHER RESOLVED, that a copy of this resolution be made a part of public record at the public hearing to be held on the 11th day of February, 1985, at 8:00 p.m.

Supervisor Janoski, "Thank you Mrs. Pendzick. Mrs. Young."

Dale Young, Oliver Street, "As you know, I live on Oliver Street. I live on the west side. As you know, the homeowners of Oliver Street are very upset with this. We are sure this is going to go through but we need some protection as you're well aware. There are a few things I'd like to discuss. Now, I know that you have a proposed 35 foot buffer. We've discussed that. We need much more than 35 foot. 35 foot is from here to you. Looking out of our living room windows, is not enough. We don't need people watching our comings and goings when the lights go on and the lights go off. We would like to see 100 foot buffer. Now, you have 35 foot proposed on Oliver Street and you have a 50 foot buffer proposed for Northville Turnpike. If possible, you can maybe change things around and give us more on Oliver Street. It's very important. We have lovely little homes in there. Most of the people on Oliver Street have lived there all their lives. Some of the homes, they've lived there for 30 years. I live next to my mother and father. There are others that live behind their parents, next to them, they live in the homes their parents lived in. We need to know that the trees

PUBLIC HEARING ContinuedDale Young, Continued

and all the trees (regardless of the size) are going to remain in that buffer. There are several trees. They're 12 inches around. There are others that are 2 inches around. They all give us privacy when the leaves are in bloom. You have trees that are 50 feet high. If a lot of them are weeded out, (the leaves are up top) it's not going to give us privacy because people can look directly through them. We have a shopping center behind our homes now. We have privacy now because 25 years ago they planted trees and now those trees are finally big enough to give us privacy. We also need to have some type of a fence constructed. I don't care if it covers the whole shopping center. My main concern is that Oliver Street is protected with a fence. The fence that they have behind us at Caldors, when the wind blows (and believe me they blow) there is garbage stacked up against that fence 3 foot high. And I've spoke to Mr. Lombardi about it. And if we don't have any kind of a fence constructed on Oliver Street, that wood is going to look like a slum, and our front yards, and our back yards are going to look terrible with all the debris. You know yourself, people have sale circulars and they throw them in the air. They want them out of their shopping carts. Where are they going to go? In our front lawns. And I would also like to see some type of a fence proposed or put in that can not be seen through. Whether it be a stockade fence or one of those weave fences because people are going to be parking at eyesight. When they are sitting in their cars, they are going to be looking in our living room windows or in our front yards. So if there is some way that you can construct a fence that we can not see them and they can not see us, that's great. We'll be happy. There's also another problem. We should make sure that there is constant litter removal daily if necessary. Because the garbage, you would not believe. There's also going to be a big problem with the rat situation. This has been a duck farm for many years. This is 33 acres or somewhere; 41 possibly. I'm not sure exactly. But there have been rats in the area for many many years and I'm sure there are thousands of them. And when they start tearing up woods, I'm sure these rats are going to head for cover. And where are they going to go? They are going to go to our homes. They are going to go across the highway on Route 58 and they're going to go down Northville Turnpike towards that trailer park. They're going to look for protection. We have children who play outside and we have pets. If one of these children get bit or a dog gets bit, we are going to have rabies and it's going to cost a big problem. And as you have said about the traffic flow on Oliver Street, we would like to see one entrance and one exit. And I understand that that is supposed to be down on the other end towards Route 58 which is fine. And we'd like to make sure no others go in on Oliver Street. Ok? Thank you."

Supervisor Janoski, "Thank you Mrs. Young. I will recognize anyone else wishing to be heard concerning the proposed rezoning on Oliver Street. That being the case, I recess this meeting until March 5th the evening of a regularly scheduled Town Board Meeting."

8:00 PUBLIC HEARING RECESSED AT 8:14 UNTIL MARCH 5TH.

PUBLIC HEARING

Supervisor Janoski, "I believe we're finished. One more? Oh the 8:15 one. Well, we have a minute. Let the record show that the hour of 8:15 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:15 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, February 11, 1985, at 8:15 p.m. at Riverhead Town Hall, to hear all interested persons regarding The Change of Zone of Property Located on Northville Turnpike, South of Route 58, From Business B to Residence C.

CORRESPONDENCE:

1. Town Planning Board, 2/11/85
Letter to be read into record.

THE FOLLOWING IS A LETTER FROM THE RIVERHEAD TOWN PLANNING BOARD AS SUBMITTED TO AND READ BY IRENE PENDZICK.

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on February 7, 1985:

WHEREAS, the Town Board of the Town of Riverhead proposes a change of zone of premises located at Northville Turnpike, south of Route 58, Riverhead from Business B to Residence C, and

WHEREAS, the proposed change of zone would be inconsistent with the proposed change of zone of the Route 58 corridor to Office/Service District zoning, and

WHEREAS, this proposal would be "spot zoning", and

WHEREAS, the Town Board of the Town of Riverhead shall hold a public hearing on the 11th day of February, 1985 at 8:15 p.m. regarding the aforementioned change of zone, now

THEREFORE, BE IT RESOLVED, that this Board recommends to the Town Board of the Town of Riverhead that premises located on Northville Turnpike, south of Route 58, Riverhead bounded and described as follows:

BEGINNING at a point on the east side of Northville Turnpike 300+ feet north of the intersection of Oliver Street and Northville Turnpike; thence proceeding in a general easterly direction 900+ feet to a point; thence proceeding in a northwesterly direction 306+ feet to a point; then proceeding in a general southwesterly direction 455+ feet to a point; thence proceeding in a general westerly direction 275+ feet to a point on the east side of Northville Turnpike 500+ feet in a southerly direction to the point or place of BEGINNING:

remain Business B or be rezoned Office/Service District, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Town Board of the Town of Riverhead, Town Attorney of the Town of Riverhead, and the Town Clerk of the Town of Riverhead, and

2/11/85

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PUBLIC HEARING Continued

BE IT FURTHER RESOLVED, that copy of this resolution be made a part of public record at the public hearing to be held on the 11th day of February, 1985 at 8:15 p.m.

Supervisor Janoski, "Ricky."

Richard Hanley, "The area in question of this particular hearing relates to this area right here. The previous hearing related to the Office/Service District would change (proposed change). The Office/Service District would be contiguous with this particular lot line that you see you see here. The idea, since the parcel south of that particular lot has been split to zoning use districts. The idea was to make that one zoning use district; Residence C which would be contiguous with the southern portion of that line."

Supervisor Janoski, "What would be the result if the Town Board did not address that particular island of land?"

Richard Hanley, "The only reason that was being considered was because we wanted to try to be uniformed as far as following lot lines with the zoning of Office/Service District. As we started sharpening our pencils on this, we may choose to split the lot into 2 zoning use districts. But the policy was at the beginning of this process, not to."

Supervisor Janoski, "If the Town Board took no action, it would remain as an island of Business B surrounded by Office/Service and Residence C."

Richard Hanley, "Exactly that."

Supervisor Janoski, "I will recognize anyone who.... Mr. Rosano, I believe this is the one you wanted to speak on."

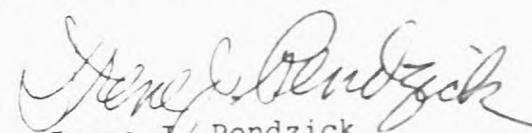
August Rosano, "I want to apologize for hopping in at the wrong spot. My problem or I do want to state the same thing. My property is presently zoned business and it's being contemplated to be change to residence. And we did want to come in there with...."

TAPE ENDED

Supervisor Janoski, "...proposed rezoning from Business B to Residence C. That being the case, we don't need the tape recorder. Did I see somebody's hand go up? No. Well, then we will recess this until March 5th which is the evening of a regularly scheduled Town Board meeting. That being conclusion of the business before the Town Board, without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 8:23 p.m.

IJP:nm


Irene J. Pendzick
Town Clerk