

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, May 1, 1984 at 7:30 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 at 7:30 p.m. and the Pledge of Allegiance was recited.

Supervisor Janoski, "John you did a fantastic job. In fact, I have to give John Lombardi credit. He spent the week after the last meeting getting this air conditioning to run so that it would be cool here this evening."

Councilman Lombardi, "Thanks Joe."

Councilman Artale, "They had to have the guy come here to day and fix it all over again."

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

RESOLVED, that the Minutes of the Regular Town Board Meeting held April 3, 1984 and Special Board Meeting held on April 23, 1984 are dispensed without objection and be approved.

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

The resolution was thereupon duly declared adopted.

BILLS

Bills submitted on abstract dated May 1, 1984 as follows:

General Town	\$170,836.64
Highway	14,649.83
SMC	5,858.73

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

RESOLVED that subject to complete audit, the following bills be approved for payment.

BILLS

General Town	\$170,836.64
Highway	14,649.83
SMC	5,858.73

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

Supervisor Janoski, "(The back benchers) The heads of the departments art with us this evening and would be available should anyone have any questions of them. Reports Mrs. Pendzick."

REPORTS

Tax Receiver's Report of collections as of 4/23 and 4/30.	Filed.
Recreation Department Report for February, and March 1984.	Filed.
Open Bid Report for Boom Wrecker-Police Dept. (No Bids)	Filed.
Open Bid Report for Cab and Chaisse. (No Bids)	Filed.
Open Bid Report for 1984 Van. (One Bid submitted)	Filed.

NAME: OTIS FORD
 ADDRESS: MONTAUK HIGHWAY, EAST QUOGUE, NY
 TRADE-IN:
 TOTAL BID: \$9,910.00

Supervisor Janoski, "Thank you Mrs. Pendzick. The time for the first public hearing has not yet arrived so we will move on to Correspondence."

CORRESPONDENCE

Martin Nelsen, 4/13/84-Re: Previous conference with Mr. Olsen to purchase property now under contract to Sowinski.	Filed.
Joseph Zuidat, Jr. 4/16/84-Vehemently opposing the construction of a marina as a homeowner in the area and voicing environmental concerns.	Filed.
Friends of the Earth, 4/16/84-Calling attention to the fact that a box on referal to County Planning wasn't checked and should have been.	Filed.

CORRESPONDENCE Continued

St. John's Church, 4/11/84-Advising that a fair and auction is being planned for 4/11/84 and requesting information re: same. Filed.

Property Owners on Tyte Dr., 4/17/84-Re: Inclusion of their road in the "Consolidated Street and Highway Improvement Program". Filed.

Riverhead Fire District, 4/17/84-Advising of Fire Department Elections. Filed.

Peconic Travel Bureau, 4/20/84-Advising of sidewalk at corner of East Main St. and McDermott Ave. being in bad condition. Filed.

County Dept. of Planning, 4/23/84-Advising that the application of Riverhead Assoc. (Caldors) is a matter for local determination. Filed.

Jean Trubish, 3/27/84-Advising of a dangerous sidewalk condition at East Main Street. Filed.

Commissioner of Transportation Re: Designation of restricted highways. Filed.

Riverhead Fire Dept., 3/24/84-Approval of the Board of Commissioners Re: a letter dated 3/20/84. Filed.

Eulis Griffin, 3/27/84-Submitting resignation due to his retirement. Filed.

Planning Board, 3/26/84-Recommending that the application of William Mills be approved. Filed.

Environmental Quality Review Board, 3/26/84-Recommends that the application of Leonard Moore is an unlisted action. Filed.

Peconic River Yacht Basin, 3/27/84-Requesting research re: parking spaces needed for boat slips. Filed.

Brookhaven Town, 3/18/84-Notice of Public Hearing re: amendments to Town Code. Filed.

Southampton Town, Notice of Public Hearing re: Local Laws #1-1984 and Filed.

Southold Town, Notice of Adoption of Local Laws 4-1984 and 5-1984. Filed.

Irene Pendzick, "That concludes Correspondence."

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

UNFINISHED BUSINESS

Old River Road Recreational Park-Change of Zone Application for Recreational Use District in Manorville. That is before the Planning Board.

A. Lawrence Galasso-Site Plan for Boat and Car Storage. That had been approved at the previous Town Board meeting

Big E Farms-Special Permit for 2-family residence in Bus. B District. That has recently been voted on by the Z.B.A.

Albert Belonzi-Special Permit for gas station on W. Main St. There is a resolution addressing that this evening.

Wm. Mills-Special Permit for non-nuisance industry on Elton Street. That is the subject of a resolution this evening.

D. & C. Sowinski-Change of Zone for beverage business in Aquebogue. That will be addressed in a resolution this evening.

25 East Realty Co.-Change of Zone for expansion of existing business. That will be addressed in a resolution this evening.

Kimbroke Enterprises-Special Permit for 190 condominiums on Sound Avenue, 1,500 east of Pier Avenue. That is before the Planning Board.

Bill Homer-Site Plan for addition to vehicle shop. (Aamco) That is presently under review by the Town Board.

Leonard Moore-Special Permit to construct 1-family residence on farm in Wading River. That is before the Zoning Board of Appeals."

Supervisor Janoski, "There are some 7 minutes remaining before the first public hearing. I will recognize anyone wishing to be heard. Mr. Carey."

Richard Carey, Middle Road, Riverhead, "I would like to correct one item on the agenda if I may. Under Correspondence, St. John's Church, the fair and auction. I think I wrote that better myself and I think it's the date of the fair and the auction is August 11th. Not April."

Councilman Prusinowski, "I believe you're right."

Irene Pendzick, You are right."

Richard Carey, "Second item I would like to refer to the board or discuss with the Board this evening is, some misunderstanding in the community with regard to Industrial Development funds. I was involved in the Industrial Development Agency in Riverhead a few years ago. I am back on some of my data. I've

PERSONAL APPEARANCES ContinuedRichard Carey Continued

talked to a lot of people in the community and there are people who feel these bonds are the responsibility of the Town. And that if the business should get in trouble, it would reflect on the town. I think that's incorrect. As I gather, (as I understand) I.D.A.'s are formed under state legislation which provides for some benefits for businesses. If it is determined by the local community, that it would be beneficial to have the business in the community and is approved by the I.D.A. and the Town Board, this company then has certain privileges. One of which is that they could finance through tax exempt bonds. However, to provide the expenses to have these bonds, (float) is the expense of the company, not the town. The responsibility for the payment of the bonds is the company's not the town. I am sure the town wouldn't want the company to get in financial difficulty. But if it did get in financial difficulty, the bond holder could only hold that company responsible and not the community or the town or the county, whichever might be involved. Am I correct in that assumption?"

Supervisor Janoski, "Indeed you are Dick. The financing mechanism is one in which the purchaser of the bonds (that individual or organization) which is providing the working capital. It's an income tax break which is a tax exempt bond. In turn, because they do not pay income tax on their interest resulting from those bonds, they can pass on to the borrower a lower interest rate and that is how the mechanism works. The town bears absolutely no responsibility in that the I.D.A. is an agency of the town and separate and distinct from the town government and they act as the conduit to all this bonding procedure to take place. Outside of that, there is absolutely no involvement of the town."

Richard Carey, "If I recall correctly, I believe the time that I first got involved with it, that we... I believe the I.D.A. of the town, does have a moral responsibility to examine the financing of the company to believe that their whole process is a viable one. Even though they are not granting the bonds and even though bonds will be tax exempt which will give them a more favorably rate."

Supervisor Janoski, "Yes. They provide their financial data to the I.D.A. which reviews them and also the whole project is reviewed by the bond council which is Wilkie, Farr and Gallagher from New York City and they are, of course, very conservative (if you will) as far as their approach to financial matters."

Richard Carey, "I would hope that the newspapers that are covering this meeting tonight, would put out some information so that the people in the community will understand that that's the whole process. Thank you very much."

Supervisor Janoski, "Thank you Dick. Mr. Eck."

PERSONAL APPEARANCES Continued

Ronald Eck, 17 East Main St., Riverhead, "I am here tonight (Mr. Janoski) to represent the Bennett Fuel, who are the owners of the Chevron station on Pulaski Street and Griffing Avenue. Last Thursday, there was a meeting here, held by the D.O.T. A public information meeting."

Supervisor Janoski, "Department of Transportation."

Ronald Eck, "Right. Department of Transportation. And they are upgrading the corner there of Pulaski Street and Griffing Avenue. In there are 4 cuts coming into the station which can be used for going into the gas station or going out of it. Now, two of them they intend to take away. When they take these two away... I can see the one being taken away on the corner of Pulaski Street and Griffing but not the one on Griffing. And I explained it to them and they said: Well we could put up a restricted right turn only. They want the people to come in one way and go out the other way and they are so far apart. What they want to leave, they're going to ruin the business there that the man had just purchased last year and they gave me comment sheets and I told my supervisor that I would come down and speak to the Town Board tonight because they only gave us 14 days to make our comments. And by the time I get those sheets back to my supervisor, a week has gone by. So I thought I would come down here tonight and speak with you about it. Because if they take that one cut out there, there's going to be less business in that area."

Supervisor Janoski, "I don't really remember. I know that there was, in the design, a closing up some of the vast expanse of egress and entrance. The best thing that I can suggest to you Ron, is that tomorrow you come down and speak with our Community Development office which is in charge of these federal monies and the programs that are under way with the State Department of Transportation. It is actually those governments that dictate what form these improvements have to take and we will work with you in a way to hopefully arrive at an accommodation."

Ron Eck, "Right. When I mentioned these comments to them, they agreed with me last week. But at the end, they said: Oh well, we will do away with the cuts anyway. So look, there was nothing really there. This is what got me a little annoyed."

Councilman Artale, "Ron, which one of those cuts did they want to take away on Griffing?"

Ron Eck, "They want to take the two corner ones away."

Councilman Artale, "The one on Griffing and the one on Pulaski?"

PERSONAL APPEARANCES Continued

Ron Eck, "Right. Now, the one on Pulaski, I can see taking that away and putting a nice high curb there. Because I spoke with you people in January about tractor trailers making u-turns there and doing damage to tank covers and stuff like that. If they put a curb there, the tractor trailers won't make their u-turn on Griffing to go back on Griffing then."

Supervisor Janoski, "Ron, if you'll excuse me. This is really not a good forum for us to do that. We have the designs downstairs. And as I said, suggest that you come in. We'll get our people together to work with you and we'll see what we can do."

Ron Eck, "Ok. I'll be back tomorrow then. Thank you Mr. Janoski."

Supervisor Janoski, "Yes. I am sorry. The first public hearing. I've got to call the hearing. Let the record show that the hour of 7:46 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, May 1, 1984 at 7:45 p.m. at Riverhead Town Hall, to hear all interested persons regarding: Proposed Amendment to the Town Code, Section 108-3 Regarding Special Permits.

Supervisor Janoski, "Mr. Town Attorney."

Richard Ehlers, "There was some discussion as to whether or not the public was generally notified about special permit applications and the publication in the newspapers may be inadequate. So the suggestion here is that the Town Clerk, at the expense of the applicant, mail certified letters to the owners of property within (500 feet) a 500 foot radius of any property which was proposed to be the subject to a special permit application. And this is a Town Code amendment that would make that a requirement. There would also be posting on the property of a sign indicating that the application is being made as well."

Supervisor Janoski, "Thank you Mr. Town Attorney. Is there anyone who wishes to comment. Mr. Olsen."

Ernest Olsen, Main Road, Aquebogue, "I would like to commend Mr. Lombardi for bringing forth this change to the code. As you know, most of us, the largest single investment we have is in our homes. The other way, Mr. Danowski had told me in the past, it was through word of mouth that people were informed. Well, in the days of the buggy, that was maybe alright. Now, if it wasn't possible to read the notice in the legal paper, many of us skim over it, don't read it. Having the notice in the

PUBLIC HEARING ContinuedErnest Olsen Continued

main about the most important possession I think it is very important. I think it is a step in the real right direction. Thank you."

Supervisor Janoski, "Thank you Mr. Olsen. Is there anyone else who wishes to comment on this proposal? That being the case, I declare the hearing closed."

PUBLIC HEARING 7:45 CLOSED AT 7:49

Supervisor Janoski, "I will open up the meeting for public comment again."

Joan Rogers, West Lane, Aquebogue, "I am speaking this evening on behalf of my husband, Dr. Jerome Rogers, and myself, Joan R. Rogers. We wish to express great concern over the project proposed on our street which is West Lane in Aquebogue. That involved the erecting of as many as 100 74 foot windmill towers for the purpose of generating electricity. Although, windmill-powered electricity is a good consideration in some instances, the large numbers in this proposal will cause a great public nuisance and will interfere with the quality of life that we sought when we moved to Riverhead a year ago. We came here with the anticipation that the administration of Riverhead has become very mindful of the welfare of its residents. We hope that this faith will be born out. We wish to inquire of this board what is the disposition of this proposal and what are the chances of such a project being taken seriously? A story in a local newspaper recently mentioned a possible agreement with the owner of the windmills and the Kollmorgan factory as to supplying the factory with electricity. Do you know if there is a definite agreement? It would seem that this type of installation would be better placed near Grumman in Calverton or another such location where the noise level is compatible. We request that the board seriously consider the following:

1. Does the proposed have the experience and technical know how as well as financial backing to carry this project through?
2. What is the environmental impact of 1, 2 or 100 such windmills, noise level effects on birds, animals and people?
3. What is the visual impact of towers of this height and of this number? How far would it be visible?

Once again we must state our grave objections to this project because of its effect on the quality of life for us and our neighbors on West Lane and its vibrance. Thank you for hearing this statement."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "Thank you. Let me just say that the Town Board does not have an application from those concerned with this. It is presently before the Zoning Board of Appeals only in the matter of the erection of a tower over 35 feet. The Zoning Board of Appeals has that question. The Town Board is not really yet involved and the Planning Board would get it before we do. Quite honestly, I had advised the applicant (if you will) that perhaps there was a better place in town to discuss such a proposal."

Irene Pendzick, "Joan, could I have your statement?"

Supervisor Janoski, "There are 3 minutes before the next public hearing. Bill Nohejl."

Bill Nohejl, Wading River, "I wish to restate a request which I made about 9 months ago to a year ago. That the audience be supplied with a packet of resolutions so they can review them before they are read off. I suggest that they put them in a packet like they do for the press. On a little hook here on a little ring. Anyone interested in it, can review it and especially people who are interested in town business. I think they should have the opportunity to do so. Again I make that request. I hope I am heard this time."

Supervisor Janoski, "I always hear you Bill."

Bill Nohejl, "Sometimes it goes in one ear and out the other."

Supervisor Janoski, "Thank you Bill. I wish you would have took just a little bit longer. I have one minute. Dick."

Dick Benedict, Fanning Boulevard, Riverhead, "I was glad to see in one of the local newspapers that the town upgrade or at least inform the people what is happening in the town. There are questions that I answer every week to all my co-workers and everything. Only there were a few left off. I would like the answers to them, if you know. Like the bakery that was going to go on Edwards Avenue. What the status is. 84 Lumber Yard across from where the horse trailers are going. But I think periodically, it would be good to put something like that in the paper and I wouldn't have to answer as many questions. Thank you."

Supervisor Janoski, "The bakery, (and I have just enough time to fill up that minute) has disappeared from consideration. There is, on Edwards Avenue, something else cooking in that same location. I am not at liberty to talk about it yet. 84 Lumber, I've heard from them recently. They are dealing with the great State of New York with regard to curbing, curb cuts, transmission, water transmission lines for fire hydrants. As far as I know, they are still very much interested in coming to the Town of Riverhead."

PERSONAL APPEARANCES Continued

Dick Benedict, "I would like to see the updates continue. Thank you."

Supervisor Janoski, "Did you hear that Jeff Miller? And of course, the electronic media should not be overlooked. I got 30 seconds here. Let the record show that the hour of 7:55 p.m. has arrived. The 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, May 1, 1984 at 7:55 p.m. at Riverhead Town Hall, to hear all interested persons regarding: Proposed Amendment to the Town Code, Section 108-80, Regarding Change of Zones.

Richard Ehlers, "This is the same type of an amendment as the earlier one. In this case, it deals with change of zone applications. Again, an abstract of title indicating the property owners within 500 feet, certified letters to be mailed by the clerk at the applicants expense. Posting of the sign. A swearing of an affidavit by the applicant that the sign was in fact posted for the time prescribed. Also, it increases the number of copies you have to provide of the change of zone application from 6 to 14."

Supervisor Janoski, "Thank you Mr. Town Attorney. Is there anyone who wishes to address the Board on this proposal? That being the case, I will declare this hearing closed."

PUBLIC HEARING 7:55 CLOSED AT 7:56.

Supervisor Janoski, "Is there anyone who wishes to address the Town Board on any matter contained in the resolutions? Then let us move on with the resolutions."

RESOLUTIONS

#273 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS, RE: BELL-TOWN EXTENSION NO. 20.

(See Water Minutes)

#274 AWARDS BID FOR RIVERSIDE TRANSMISSION MAINS VIA COUNTY ROAD 105, RIVERHEAD WATER DISTRICT, TO PAT NOTO, INC.

(See Water Minutes)

RESOLUTIONS Continued#275 APPROVES SPECIAL PERMIT APPLICATION OF ALBERT P.R. BELONZI.

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

WHEREAS, by application dated February 27, 1984, Albert P. R. Belonzi, through his attorney, Henry S. Saxstein, did apply to this Town Board for a special permit for the re-establishment and operation of a gasoline service station located on the north side of State Route 25 (West Main Street), approximately 150 feet west of March Avenue (next to the U.S. Post Office Annex), Town of Riverhead, New York, and

WHEREAS, this matter was referred to the Planning Board for their review and recommendation, and

WHEREAS, by letter dated April 11, 1984, the Planning Board did recommend to the Town Board that the special permit application be approved, subject to the condition that the tanks meet with all applicable State, County, and Town regulations, and

WHEREAS, Northville Gasoline Corp. did join in this application as owners of such property, and

WHEREAS, Henry S. Saxstein, attorney for Mr. Belonzi, in accordance with Section 108-41 of the Riverhead Town Code did forward to this Town Board a list of the names and addresses of all assessed owners as shown on the Suffolk County Tax Assessment Roles of premises that lie within 1,000 feet of the subject premises, and

WHEREAS, Irene J. Pendzick, Town Clerk, by affidavit sworn to on the 26th day of April, 1984, did state that she mailed, by certified mail, return receipt requested, a copy of the Notice of Public Hearing, with attachments, to all property owners as provided by applicant's attorney, and

WHEREAS, a public hearing was held by the Riverhead Town Board on the 17th day of April, 1984, wherein all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the special permit application of Albert P.R. Belonzi to re-establish and operate a gasoline service station located on the north side of State Route 25 (West Main Street), approximately 150 feet west of March Avenue (next to the U.S. Post Office Annex), tax map #0600-124-3-20 and 21, Town of Riverhead, New York, be and is hereby approved, subject to the following conditions:

1. The permit shall be conditioned upon the premises being used for retail sale of motor fuels, lubricants and other motor vehicle supplies, including spark plugs, batteries, tires and other customary minor parts for the repair, servicing and upkeep of motor vehicles, not including body and fender work; upon all repair work being performed inside a building and only between the hours of 7:00 a.m. and 9:00 p.m. prevailing time, except for emergencies; and upon there being no storage of dismantled vehicles on the lot.

2. Subject to site plan review by this Town Board:

RESOLUTIONS Continued

3. Subject to Suffolk County Health Department approval for all gasoline storage tanks located on the subject property after a test of the tanks by the Suffolk County Health Department; that the tanks meet all State, County and Town regulations.

4. Subject to any and all restrictions and/or limitations as outlined in the Riverhead Town Code, Chapter 108;

5. That no vehicles shall be stored on the outside of the premises overnight.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Henry S. Saxstein Esq., attorney for the applicant.

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

The resolution was thereupon duly declared adopted.

#276 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF RIVERHEAD ASSOCIATES.

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to the special permit application of Riverhead Associates for the expansion of the maximum building area in a Business B zone in that required parking is provided on the site at premises commonly known as the Riverhead Plaza Shopping Center, Route 58, Riverhead, New York.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 15th day of May, 1984, 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 special permit application of Riverhead Associates for an expansion of the maximum building area in a Business B zone in that required parking is provided on the site at premises commonly known as the Riverhead Plaza Shopping Center, Route 58, Riverhead, New York.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#277 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF SHOREWOOD CONSTRUCTION CORP.

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to the special permit application of Shorewood Construction Corp. to construct a single family residence on the property of Mr. and Mrs. Leonard Moore, Wading River-Manorville Road, Wading River, New York.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 15th day of May, 1984, 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 special permit application of Shorewood Construction Corp. to construct a single family residence on property owned by Mr. and Mrs. Leonard Moore Wading River-Manorville Road, Wading River, New York, in order for Mr. Moore to better supervise the seasonal workers who live on the farm in an existing labor camp building.

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

The resolution was thereupon duly declared adopted.

#288 APPOINTS SPECIAL POLICE OFFICERS.

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

WHEREAS, with the upcoming summer season, it is necessary to appoint special police officers.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed special police officers at the hourly rate of \$5.50 effective immediately.

DIXON PALMER
GARY HOTCHKISS
JAMES WOOTEN
MICHELLE GANNON
SAMUEL MALTESE
KAREN FABER
RICHARD SEEBECK

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#279 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD-NEIGHBORHOOD AIDE.

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

WHEREAS, the Town Board of the Town of Riverhead has received approval of its application to the New York State Division for Youth for funding of a youth center, and

WHEREAS, it will be necessary to hire part-time personnel to administer the Teen Center.

NOW, THEREFORE, BE IT,

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below help wanted ad for a part-time Neighborhood Aide in the May 3rd issue of the News-Review.

HELP WANTED

The Town of Riverhead is seeking a qualified individual to serve in the part-time (maximum of 20 hrs.) position of Neighborhood Aide. This position will involve a large amount of weekend and evening work. Applicants must have some college education and/or equivalent experience; clerical, writing and verbal skills; experience working with youth, knowledge of basic office management, knowledge of community and town organizations; and must be willing to take direction. Job duties shall include the administration of Teen Center Programs; to act as liaison between the Teen Center, J.A.B. and Teen Center Advisory Board; to enforce teen center rules; handle clerical work; and schedule and coordinate volunteers. Interested individuals must submit an application to the Town Supervisor's Office, 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 be accepted after Thursday, May 10, 1984. The Town of Riverhead is an Equal Opportunity Employer.

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

The resolution was thereupon duly declared adopted.

#280 AUTHORIZES CAPTAIN GRATTAN TO ATTEND SYMPOSIUM.

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

WHEREAS, a Symposium on "Inovative Techniques in Managing Small Law Enforcement Agencies" is being held in Columbus, Ohio on June 18th through June 20th, 1984.

NOW, THEREFORE BE IT,

RESOLUTIONS Continued

RESOLVED that Capt. Lawrence Grattan be and is hereby authorized to attend said Symposium and
 BE IT FURTHER RESOLVED, that Capt. Lawrence Grattan be given in advance the amount of \$705.00 which shall cover the entire expense of travel, registration, room and meals.

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 8:05 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:05

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 1, 1984 at 8:05 o'clock at Riverhead Town Hall, to hear all interested persons regarding: Proposed Amendment to Town Code, Section 101-9 updating the list of all traffic signals installed and or maintained by the Town.

Richard Ehlers, "The list of traffic signals installed and maintained by the town is to be amended to exclude the entrance to the Billy Blake's Plaza which has not been functioning for some time and add 3 new intersections. Route 58 at Osborne Avenue, Northville Turnpike at 105 and Pulaski Street at Griffing Path. This is a result of the County's application to upgrade these signals. Basically, where a town road crosses a county road, it's the town's obligation, if we wish to have the signal there to control the traffic, to provide traffic signals and maintain them. In the case of the 3 listed, the County is installing them as far as the upgrade of the Route 58 with proviso that the town except them which the town has done previously by contract. This will amend the Town Code that is our obligation to maintain those signals."

Supervisor Janoski, "Is there anyone present who wishes to address the Town Board on this matter? That being the case, I declare the hearing closed."

PUBLIC HEARING 8:05 CLOSED AT 8:07

Supervisor Janoski, "Let us proceed with the resolutions."

RESOLUTIONS Continued#281 AUTHORIZES OVERTIME - HIGHWAY DEPARTMENT

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

RESOLVED, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for overtime for a total of 69½ hours in the amount of \$863.60, 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 duly declared adopted.

#282 AWARDS BID FOR ONE (1) NEW SELF PROPELLED TRAFFIC LINE MARKER.

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

WHEREAS, the Town Clerk was authorized to advertise for bids for one (1) New Self Propelled Traffic Line Marker for the Highway Department, and

WHEREAS, on the 17th day of April, 1984 all bids received were opened and read aloud, and

WHEREAS, only two bids were received, and

WHEREAS, the Highway Department has recommended the purchase of the Prismo, Model #240, and

WHEREAS, the Prismo, Model #240 is the lowest bid received meeting the specifications,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for one (1) New Self Propelled Traffic Line Marker, be and is hereby awarded to Empire Municipal Supply Corp., 250 Route 303, Blauvelt, N.Y. 10913, in the amount of \$25,577.00.

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

The resolution was thereupon duly declared adopted.

#283 AWARDS BID FOR LIQUID ASPHALT - HIGHWAY DEPARTMENT.

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

WHEREAS, the Town Clerk was authorized to advertise for bids for Liquid Asphalt for the Highway Department, and

WHEREAS, on the 17th day of April, 1984 all bids received were opened and read aloud, and

WHEREAS, only two bids were received, and

WHEREAS, Landsdell Asphalt & Bituminous Corp. submitted the lowest bid meeting the specifications,

NOW, THEREFORE, BE IT

RESOLUTIONS Continued

RESOLVED, that the bid for Liquid Asphalt be awarded to Landsdell Asphalt & Bituminous Corp., Old Northport Rd., Kings Park, N.Y. for the bid price of: Item #1- \$0.965 per/gal.; Item #2- \$1.135 per/gal., Item #3- \$0.9245 per/gal., in conformity with the bid specifications, documents, etc., on file with the Town of Riverhead.

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

The resolution was thereupon duly declared adopted.

#284 APPOINTS 90-DAY TEMPORARY LABORERS TO HIGHWAY CEMENT CREW.

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

WHEREAS, in order to have desired cement work completed within the Town, it is necessary to hire temporary individuals to perform said work.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be hired as 90-day temporary laborers at the hourly rate of compensation of \$5 commencing May 21, 1984.

KARL FLEISCHMAN
WILLIAM FLEMING
GREGORY HEPPNER

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 8:10 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:10

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 1, 1984 at 8:10 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Special Permit Application of Joseph Zinna to construct and operate a transmission repair business as a non-nuisance industry at premises located at the intersection of Hubbard Avenue and East Main Street.

CORRESPONDENCE:

1. Suffolk County Dept of Planning - 4/23/84
The application is considered to be a matter for local determination.

PUBLIC HEARING Continued

2. Planning Board - 4/27/84
Recommending that application be approved with 3 conditions:
1. Access to the subject premises be from Hubbard Avenue.
 2. All external storage be minimal.
 3. That the premises be well screened.

Supervisor Janoski, "Thank you Mrs. Pendzick. Is there anyone present representing the applicant?"

Henry Saxtein, Attorney, "Yes. Good evening ladies and gentlemen. My name is Henry Saxtein. 747 East Main Street, Riverhead. I represent the applicant, Mr. Joseph Zinna, on this application. Mr. Zinna's application is to construct and operate a repair business for transmissions on the corner of Hubbard Avenue and East Main Street in Riverhead. I would first like to say, that we had submitted a survey with the application. We would like to take this opportunity to amend the survey. The survey before your board, shows a building that is 60 X 75 feet. We would like to ammend the application to allow (if necessary) the construction of a building 60 X 80 feet heading further southwestward 5 feet. This is because... This will be a metal butler building and they are constructed in almost like units and it may be a better construction method to construct a 80 foot building in 4 multiples of 20 then a 75 foot long building. So if we may, we would like to amend the application at this time for that. The business that would be going in there is a business which presently operates in the town. And the primary part of this business, is for the repair of transmissions of trucks and cars. And the majority of this business is for parts of transmissions and differentials and other parts of vehicles that are brought to the site for repair as opposed to a great number of vehicles brought to the site for repair. A great deal of business (more than 50% of the business) is done for other repair shops and therefore, it is more of an industrial use for the repair and construction of the transmissions rather than an auto repair shop. We don't envision having a great deal of traffic there. It's just going to be the parts brought to the site. As I stated earlier, the proposed construction of the building will be a metal butler building of the size of 60 X 80 and it will also house an office internally for the repair business. In our application, we have requested that, pursuant to the powers granted to the Town Board for special permit approval, that we be permitted to use a crush stone type parking area, rather than a paved parking area. The reason for this is that we don't expect a great deal of traffic and the natural drainage in this area would be better served by using crush stone. We realize that we will have to come before the Town Board for a site plan review and for the actual construction of the building, the facure of the building and the parking area and the screening. We also would like to make the Town Board aware that we have prepared and will be filing application with the D.E.C., due to the fact that this property borderlines on Sawmill Creek and also with the C.A.C. If the Board would like any of these applications, we would be more than happy to provide them with the same."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you Henry. Does any member of the Board have any question? Thank you Henry. Does anyone present wish to address this application? Steve."

Steve Haizlip, Calverton, "Mr. Janoski and the other Board members. I don't feel that the crush stone is a good idea. When the snow comes and these snow plows, payloaders, (whatever moves the snow) is going to move the stone and the snow at the same time."

Supervisor Janoski, "Thank you Steve. Is there anyone else present who wishes to address the Town Board on this application? That being the case, I declared the hearing closed."

PUBLIC HEARING 8:10 CLOSED AT 8:15

Supervisor Janoski, "Let's do some resolutions."

RESOLUTIONS#285 AUTHORIZES APPOINTMENT OF PARK ATTENDANT AND BEACH ATTENDANT TO RIVERHEAD RECREATION DEPARTMENT.

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

RESOLVED, that John W. Harris is hereby appointed to serve as Park Attendant effective April 30, 1984 to and including September 7, 1984, to be paid bi-weekly at the hourly rate of \$4.50 and to serve at the pleasure of the Town Board, and

BE IT FURTHER RESOLVED, that John Lovett is hereby appointed to serve as Beach Attendant effective May 14, 1984 to and including September 7, 1984, to be paid bi-weekly at the hourly rate of \$4.50 and to serve at the pleasure of the Town Board.

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

The resolution was thereupon duly declared adopted.

#286 DESIGNATES OAK LANE, LAUREL LANE, BEACH CLUB LANE, AND FOREST LANE, WADING RIVER, N.Y. AS "PARKING PROHIBITED"

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

WHEREAS, pursuant to Local Law #2-1983, adopted by the Riverhead Town Board, residents of Oak Lane, Laurel Lane, Beach Club Lane, and Forest Lane, Wading River, New York, did submit a petition to this Town Board to designate said streets as "Parking Prohibited" in the travel portion of the private

RESOLUTIONS Continued

roads, at all times based upon the fire hazard which may exist if vehicles are parking in the streets prohibiting emergency vehicles from assisting them, and

WHEREAS, a public hearing was held by this Town Board on the 17th day of April, 1984, wherein all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Local Law #2-1983, adopted by this Town Board by resolution dated December 6, 1983, the private roads known as Oak Lane, Laurel Lane, Beach Club Lane, and Forest Lane, Wading River, New York, be and are hereby designated as a no parking zone, and be it further

RESOLVED, that the Town Clerk is authorized to publish and post a copy of this resolution, and be it further

RESOLVED, that the Highway Superintendent be and is hereby authorized to post no parking signs along such road, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Chief Roscoe Palmer, wherein said Police Department shall be allowed to enter upon such private roads for the purpose of enforcing the no parking restrictions, and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Mr. Michael Hope, Oak Lane, Wading River, New York.

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

The resolution was thereupon duly declared adopted.

#287 APPROVES SPECIAL PERMIT APPLICATION OF WILLIAM J. MILLS III

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

WHEREAS, by application dated March 27, 1984, William J. Mills, III, did apply to this Town Board for a special permit to construct a non-nuisance industry in the Industrial B District at premises located on Elton Street, Riverhead, New York, tax map #0600-109-2-2, property presently owned by Joseph A. Pufahl, and

WHEREAS, said applicant wishes to construct on said land a 20,000 square foot building for the purpose of operating therein a canvas products factory, and

WHEREAS, this matter was referred to the Planning Board for their review and recommendation, and

WHEREAS, by letter dated April 27, 1984, the Planning Board did recommend that the special permit application be approved, and

WHEREAS, this Board held a public hearing on the 17th day of April, 1984, wherein all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLUTIONS Continued

RESOLVED, that the special permit application of William J. Mills, III to construct a non-nuisance industry in the Industrial B District located at premises on Elton Street, Riverhead, New York, tax map #0600-109-2-2, property presently owned by Joseph A. Pufahl, wherein said applicant wishes to construct on said land a 20,000 square foot building for the purpose of operating therein a canvas products factory, be and is hereby approved, subject to the following conditions:

1. Any and all restrictions and/or limitations as outlined in the Riverhead Town Code;
2. Subject to site plan review by this Town Board.

and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Allen M. Smith, Esq., agent for William J. Mills, III.

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 8:20 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:20 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 1, 1984 at 8:20 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Special Permit Application of Rising Sun Woodworking for a non-nuisance industry at premises located near East Main Street and Hubbard Avenue to use said premises as a woodworking shop.

Supervisor Janoski, "Thank you Mrs. Pendzick. Is there anyone present representing the applicant?"

Michael Drobert, "My business is Rising Sun Woodworking. The primary function of my business is architectural woodworking. I produce custom doors, windows, small cabinetry and general mill work in wood. I am right now in contract to purchase a shop building located on Tyte Drive which is just off of Hubbard Avenue and East Main Street. This is Industrial B zoned. The current use is as a lawnmower shop. I would like to use it to align it with my business as a woodworking shop. In Industrial B, that would have to be a non-nuisance industry and it does fall under a non-nuisance industry. If the Town Board approves this, basically my plans include just

PUBLIC HEARING ContinuedMichael Drobert Continued

cleaning up the property, repairing the structure as need be, and in general, improving the appearance of this property. That's basically it. I hope you look favorably upon my venture."

Supervisor Janoski, "Thank you. Does any member of the Board have any question?"

Councilman Artale, "That's the old Hodey's lawnmower shop."

Michael Drobert, "That's correct."

Councilman Prusinowski, "Is that still in operation today? Is it active?"

Michael Drobert, "It's being run by O'Neill's lawnmower now. He uses it purely for storage and some work I believe."

Councilman Artale, "Ok. Thank you."

Supervisor Janoski, "Does anyone present wish to address the Town Board on this application? That being the case, I declare the hearing closed."

PUBLIC HEARING 8:20 CLOSED AT 8:23

Supervisor Janoski, "Let's go on with resolutions."

RESOLUTIONS

#288 ADOPT BUDGET CROSS RIVER DRIVE WATER EXTENSION CAPITAL BUDGET.

(See Water Minutes)

#289 BUDGET ADJUSTMENT.

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

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

A 3821 State Aid for Teen Center	FROM \$25,000.00
A 1990.400 Contingency Account	26,000.00

RESOLUTIONS Continued

	<u>TO</u>
A 7989.100 Personal Services (3P/T)	\$12,000.00
A 7989.200 Equipment/Contractual Expenses:	22,500.00
A 7989.401 Rent	13,000.00
A 7989.402 Supplies and Misc.	2,000.00
A 7989.403 Travel	500.00
A 7989.800 Fringe Benefits	1,000.00

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

#290 AUTHORIZES OVERTIME COMPENSATION TO TOWN HALL EMPLOYEES.

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

WHEREAS, surplus cheese was distributed at Town Hall on Saturday, April 28, 1984.

NOW, THEREFORE, BE IT

RESOLVED, that the following employees be paid overtime compensation for working the cheese distribution.

Verna Campbell	- 4 hrs. @ \$ 9.5547 = \$38.22
Elizabeth McKay	- 4 hrs. @ \$10.9169 = \$43.67
Jean Worthington	- 4 hrs. @ \$11.2674 = \$45.07
Monique Cawley	- 4 hrs. @ \$14,7783 = \$59.11

*All employees worked from 8:30 a.m. to 12:30 p.m.

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

#291 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: AMENDMENT TO SECTION 48-7 OF THE RIVERHEAD TOWN CODE, OPERATION OF MOTOR VEHICLES ON THE BEACH.

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 48-7 of the Riverhead Town Code, operation of a motor vehicle upon a beach in the Town of Riverhead.

RESOLUTIONS Continued

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 15th day of May, 1984, at 8 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 deletion to section 48-7 of the Riverhead Town Code, restricting use of motor vehicles upon beaches in the Town of Riverhead to Riverhead residents, tenants or taxpayers:

48-7. Application for permit; fee

The Town Clerk of Riverhead is hereby authorized to issue a permit for the use or operation of a motor vehicle on the beach to residents, tenants or taxpayers of the Town of Riverhead, upon due annual application at no cost to such persons ~~and to any other persons not stipulated herein, upon due annual application and upon payment of an annual fee of fifteen dollars (\$15) by such persons.~~ Said annual permit shall run from January 1 through December 31 of each year. (Remainder of section remains the same).

*Running line indicates deletion.

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

The resolution was thereupon duly declared adopted.

#292 AUTHORIZES SUPERVISOR TO EXECUTE DECLARATION OF RESTRICTIVE COVENANTS, RE: ESCANO PROPERTY, 982 ROANOKE AVENUE, RIVERHEAD.

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

RESOLVED, that the Supervisor be and is hereby authorized to execute a Declaration of Restrictive Covenants to be binding upon property known as 982 Roanoke Avenue, Riverhead, New York, presently owned by Fernando B. Escano, Jr., and Maria Lourdes S. Alcasid Escano wherein the building on said premises shall be occupied by no more than one medical doctor at the same time.

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

The resolution was thereupon duly declared adopted.

#293 AWARDS BID FOR 1984 E250 VAN - SEWER DISTRICT.

(See Sewer Minutes)

RESOLUTIONS Continued#294 APPROVES LEAVE OF ABSENCE OF NUTRITION PROGRAM COOK.

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

WHEREAS, Due to medical reasons, Eather Mae Wheeler has submitted a request for a leave absence from her position as Cook for the Nutrition Program for the period April 13, 1984 through September 3, 1984.

NOW, THEREFORE, BE IT

RESOLVED, that a medical leave of absence be and is hereby approved for Eather Mae Wheeler for the period of April 13, through September 3, 1984.

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

The resolution was thereupon duly declared adopted.

#295 TRANSFER OF FUNDS.

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:

	<u>FROM</u>	<u>TO</u>
A 1620.410 Lights Heat & Water	\$300.00	
A 3120.439 Police Misc.	10.00	
		\$300.00
A 1620.200 Shared Services		10.00
A 3120.438 Police Gloves		10.00

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "I am going to declare a one minute recess."

SUPERVISOR JANOSKI RECESSED THE MEETING AT 8:29 P.M.

SUPERVISOR JANOSKI RECONVENED THE MEETING AT 8:30 P.M.

Supervisor Janoski, "The meeting will return to order. Mr. Boschetti can uncross his legs now and Mr. Lombardi. Let the record show that the hour of 8:31 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING Continued

PUBLIC HEARING - 8:30 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 1, 1984 at 8:30 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Change of Zone Application of Robert Celic, Eugene Bailey and Florence Bailey to change the zone of premises located at the corner of of Shade Tree Lane and Route 25, Aquebogue, from Agriculture A to Residence C.

Supervisor Janoski, "Thank you Mrs. Pendzick. Is there anyone present representing the applicant?"

Robert Celic, Box 1247, Mattituck, "Good evening gentlemen. As you know..."

Supervisor Janoski, "Please identify yourself."

Robert Celic, "My name is Bob Celic and this is Mrs. Bailey. She is the contract vendee on subject property which belongs to the Celic Estate property and my mom, Vera G. Celic. This property is presently zoned Agriculture A. We are requesting that it be zoned residential C. Which incidently, most of the surrounding property other than the business parcels that surrounds it, are zoned Residence C. So we are not really looking for something that's going to change the area. Mrs. Bailey has a very good plan in lieu of the zone change. I think I'll just let her explain basically, what she had in mind."

Florence Bailey, Sound Avenue, Riverhead, "Well, I would like to open up a day care/nursery school. This would be to take care of children from 18 months up to toddlers, up to going to Kindergarten. I found that the building is very well set up that I could do this. I've been in touch with New York State Department. And as far as children, there would be approximately 50-20 children. That would be all I could have. Each child has to have 35 square foot area. I feel that it is something that the town could really use. I know my daughter is a nursery school teacher. She would be working with me and I love children very much. I feel that I think there is a lot of women and men that may be have a use (for this) for what I want to do. I am very nervous talking here. Well, that's about it. I went through it very thoroughly and it's something I would really like to do."

Supervisor Janoski, "Thank you. Any member of the Town Board?"

Councilman Artale, "Mrs. Bailey, have you ever done anything like this before?"

PUBLIC HEARING Continued

Florence Bailey, "No. I have never run a nursery school. I've always been involved with children, took care of children in the home. I've been in P.T.A. I've always been very interested in the care of children. I've taken different courses. C.P.R. My daughter-in-law is going to be involved too. She's a registered nurse. My daughter is a nursery school teacher. So it would be a family affair and something where there would be someone for everything. It's a certain amount of children for a certain amount of adults. We figure about 15 children. This would be a situation where the people would bring their children in the morning and pick them up in the evening. It's not an all day thing where there will be traffic all day coming in and out. Most of the nursery schools today, they just have 3 hours in the morning and 3 hours in the afternoon. I will be licensed to do this because you can't have children all day long unless you're licensed by the state."

Councilman Artale, "Thank you."

Robert Celic, "I just have one other comment gentlemen. Mrs. Bailey and all the people who are expecting to run this little nursery school, are local people. They are long time local people, so they know the area."

Supervisor Janoski, "Which reminds me Bob. You failed to give your address and Mrs. Bailey's address and identify yourself."

Florence Bailey, "I live on Sound Avenue in Riverhead."

Robert Celic, "I used to live in Riverhead but I live in Mattituck. Box 1247 Mattituck. Sufficient?"

Supervisor Janoski, "Thank you. Does anyone present wish to address the Town Board on the matter of this application? John."

John Zlatniski, Shade Tree Lane, "I would just like to ask maybe a few questions here. If this is a business, will there be parking, fencing put in? Will the parking be off the road? Will the fencing be adequate. If you're going to have 15-20 children, that's a very highly travelled area. That's my concern. We have 16 homes on Shade Tree Lane and 3 churches. We are not sinners but something like this coming in... This is a house, a very nice house. It's been a residential area and for my part, I would like to keep it a residential area. I think it's travelled too much. You'd have to have parking spaces on the property. Will it be well curbed and fenced too? All the property? There's a lot of questions there. Thank you."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you John. Mrs. Bailey."

Florence Bailey, "As far as parking, of course you'll have people bringing their children in the morning and then leaving. Fencing, we are going to have of course, the area fenced where the children will be playing. Gene is there anything else as far as parking? This is my husband, Eugene Bailey."

Eugene Bailey, "My name is Gene Bailey. I live on 74 Sound Avenue. As far as parking is concerned, there is not going to be any long time parking. It's going to be a drop off type of thing. If it was necessary, we do have $\frac{1}{4}$ acre in the back of the barn for parking area. But I don't think it's going to be necessary. Secondly, the children will not be allowed to run around rampid. It has to be enclosed by a state law. The enclosure has to be big enough to meet the requirements of the number of people you have, the number of children. As far as any danger to the children or excess traffic, cars parking, this will not be a problem."

John Zlatniski, "What I just want to bring to the Town Board, is that this is a business. In the Town of Riverhead, we have a lot of restrictions on businesses. We have to put in parking. So many spaces for people that we have in a town business. Will you consider this? Will there be adequate drainage to the parking? We have to do it. And if this is a business, I think other people have to do it. If you're going to make that decision, which I still think it's a residential area and I would like to keep it that way. There are 16 residential houses in there....."INAUDIBLE.

Supervisor Janoski, "Thank you."

Robert Celic, "Can I make a comment please? Directly next to this property to the east, is business zoned property. We could have very well.... This house has been on the market for nearly 2 years. We have had many prospective buyers of this house. Many of them have looked to a rezone. Because my family and everyong affected in the sale of this house is from Aquebogue, we realize that the people (which one just spoke,) John Strebel, I believe originally bought his parcel from my brother. We did not want to have any conflict with neighborhood. There was one person who was interested in buying it for a restaurant and he was simply discounted because it would require a zoning change which I knew would be objectionable to the neighborhood. These people (the Baileys) are very qualified. They have to conform with all state codes in terms of parking, drainage. It is not, in the true sense, a business use. It is more of an educational use and I think it's a matter of definition and we don't want to get into that and that aspect. But I know, and I trust that you will also agree that these people, before they can get their license, have to conform to the state educational code. And I'll leave it at that."

PUBLIC HEARING ContinuedCouncilman Artale, "Supervisor."Supervisor Janoski, "Yes. Wait just a minute Ma'am. Hang on. Let me recess this hearing."

PUBLIC HEARING 8:30 RECESSED AT 8:41

Supervisor Janoski, "Let the record show that the hour of 8:40 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING 8:40 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 1, 1984 at 8:40 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Special Permit Application of Robert Celic, Eugene Bailey, & Florence Bailey to establish a day care/nursery school on premises located on the corner of Shade Tree Lane and Route 25, Aquebogue.

Supervisor Janoski, "Ok. Let me just explain that. There are two public hearings dealing with the same subject matter. One is the application for a change of zone because the nursery school is permitted in Residence C. The second is a special permit application because it is permitted by special permit of the Town Board. So it is the same subject matter and I will recognize you now Ma'am."

Ingeborg Glover, Shade Tree Lane, Aquebogue, "I would like to keep it for residential because children will be in the back yard. The house is not air conditioned at present. So I am sure that these children will be outside and it is a well travelled section as John mentioned before. I have to watch very carefully to get out of the driveway and not get hit because of the hedge that is always in the way. Nobody took care of it for years. So if there are children, they might be in more danger then I when I am in my car."

Irene Pendzick, "Could I have the spelling of you last name?"

Ingeborg Glover, "G-L-O-V-E-R."Supervisor Janoski, "Thank you."Eugene Celic, "May I respond?"

Supervisor Janoski, "Why don't we let this gentleman speak and maybe you could answer it."

PUBLIC HEARING Continued

Robert Keller, Shade Tree Lane, "I am against this zone change. We have enough traffic on that road. We don't need more. If these people want to have a day car center and nursery school, let them have it up on Sound Avenue. This is our home. Thank you."

Councilman Artale, "Can I ask you a question? Is anyone going to be living in this house?"

Florence Bailey, "Yes. This is just what I want to explain. See I should have told you before. We will be living upstairs. My husband and I. We are just going to use the bottom floor for the nursery school. And as far as the area where the children will playing, they're not going to be way in the back which would be near this woman who just spoke. It will be right on the side. It's a big area and they will be.... I don't even think you'll see the children from the road with how we are going to fence this off. These are very small children now. The majority would be of children, toddlers or infants. I am going to take children from 18 months. So as far as noise level or that, of course we do have to have it fenced in the way the state tells us that we have to."

Eugene Bailey, "I just want to repeat, that we are going to live in the area. We are going to live in this house and the house we have now is not something that we are ashamed of. So we don't intend to have the place looking like a down graded area."

Howard Tuttle, Shade Tree Lane, "Well as John Zlatniski (not John Strebel) stated,...."

Irene Pendzick, "Would you state your name?"

Howard Tuttle, "Howard Tuttle. Ok. As I see it, I am concerned that it remain residential. I also see the fact that hasn't been adressed is the aerial spraying that goes on in the area on the other side of Route 25 next to the school. Where the school will be. So if those children are outside when they are spraying, that is another subject that has to be watched. The nursery main who has the business that the lady mentioned, on the east of here, also sprays. That is a consideration health wise. We have already seen in Riverhead, how well the Department of Health regulates matters. Not very well. It increases traffic in Riverhead. You mentioned before about traffic signals. We never got a traffic signal on Northville Turnpike until Perry Duryea built a bank there. We never got a traffic signal at the corner of Ostrander and 58 until Congressman Pike got hit there. It's very difficult now, getting out on to Route 25 as it is to go into town on business. This is only going to make the matter worse. Thank you."

Supervisor Janoski, "Thank you."

PUBLIC HEARING Continued

Jessie Tomlinson, Wading River, "I didn't know that this was on the agenda this evening and I really don't want to get into the merits of a nursery on Shade Tree Lane. I really felt compelled to tell you that I've known the Baileys for many many years and with all the problems that we have been reading about today with little children, I certainly would not hesitate to have them take care of my children even if I were in a position where I had to work and leave a small child with anyone. I would like to mention that in my office, I have several young women who work for me, who are really in dire need of day care center help because their children are very young and not eligible for Kindergarten. And there's a need in this town for a day care centers. The ones that exist, I think there's one or two, are already crowded and there's a waiting list. So, as I said, I don't want to get into the hassle with the homeowners on Shade Tree Oane, but I wish, when you do consider this, you consider the character of Mr. and Mrs. Bailey and the fact that day care centers are desparately needed because of the economic situation today. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present who wished to address the Town Board? Steve."

Steve Haizlip, "Mr. Bailey, I've known for a good many years. As a matter of fact, I checked a lot of his work. He is a competent man and I know he can handle the job."

Supervisor Janoski, "Thank you Steve. Is there anyone else present who wishes to address the Town Board? That being the case, I declare that hearing closed and that is the hearing on the special permit application of Robert Celic."

PUBLIC HEARING 8:40 CLOSED AT 8:48
PUBLIC HEARING 8:30 REOPENED AT 8:48.

Supervisor Janoski, "I will reopen the hearing on the change of zone application on Robert Celic. Is there anyone who wishes to offer additional comment on that application? That being the case I declare that hearing close and I declare a recess of this Town Board meeting until 5 minutes after nine."

PUBLIC HEARING 8:30 CLOSED AT 8:49
SUPERVISOR JANOSKI RECESSED THE MEETING AT 8:49
SUPERVISOR JANOSKI RECONVENED THE METTING AT 9:07

Supervisor Janoski, "Ok. Let's go on with the resolutions."

RESOLUTIONS

#296 APPROVES CHANGE OF ZONE APPLICATION OF DOUGLAS AND CAROL SOWINSKI.

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

RESOLUTIONS Continued

WHEREAS, the application of Douglas and Carol Sowinski for an extension of the existing Business B zone eastward to include property owned by the applicant, as depicted on the map filed with the Town, has been referred by the Town Clerk to the Riverhead Town Planning Board for its report and recommendations, and

WHEREAS, the Planning Board, on February 2, 1984, conducted a public meeting for the purpose of inter alia, reviewing the application of Douglas and Carol Sowinski, and

WHEREAS, various residents of the Town of Riverhead were present at this Planning Board meeting, and

WHEREAS, the Riverhead Town Planning Board without objection, resolved that the application of Douglas and Carol Sowinski be approved, which resolution has been reviewed by this Town Board, and

WHEREAS, the Environmental Quality Review Board has reviewed this application and based upon such review, has determined that the rezoning sought herein will not have a significant impact on the environment, and

WHEREAS, a public hearing conducted on February 22, 1984 by the Riverhead Town Board, was duly noticed and conducted, and no one spoke on the record at that hearing in opposition to the application of Douglas and Carol Sowinski, and

WHEREAS, comments were accepted from the floor on March 6, 1984, and

WHEREAS, the public hearing was re-opened on April 3, 1984, after notice and publication by the Riverhead Town Board to allow further comment and testimony on the subject application but was adjourned because of an alleged defect in the notice of such public hearing, and

WHEREAS, a final public hearing after due notice and publication, duly noticed, was held on April 17, 1984, by the Riverhead Town Board to hear all interested persons with regard to the subject application, and

WHEREAS, persons were heard by the Riverhead Town Board on April 17, 1984, at the public hearing both on behalf of and in opposition to the approval of the application at issue herein, and

WHEREAS, each member of this Board is personally familiar with the subject application and the subject premises, and

NOW, THEREFORE, based upon the application made hereing, the record of the public hearing, the records of the Town of Riverhead Building Department and Town Clerk's Office as well as the personal knowledge of this Town Board, THIS BOARD FINDS:

1. That the parcels proposed to be rezoned are currently zoned Agricultural A. That none of the property within the area rezoned by this resolution, is currently used for agriculture as defined by the Agriculture and Markets Law, being rather used as business of a type compatible with Business B zoning and residence.

2. That an expansion of the existing Business B zone east to the boundary of the property owned by Estate of Eugene Andrae as contract vendor to Carol and Douglas Sowinski includes 9.8 acres of which 1.1 are currently in business use.

RESOLUTIONS Continued

That the property to be rezoned is currently used for business. And, indeed, Mr. Stillwagon, a vocal opponent at the public hearing, stated that when he purchased his property twelve months ago, he assumed that the property was business zoned at that time.

That Mr. Kart, a resident and owner of property within the proposed area to be rezoned, stated that due to the business character of the area, he is unable to sell his property as a residence.

3. That this Board has reviewed the 1983 Route 58 Corridor Plan prepared by Raymond Parish, Pine and Weiner, which plan shows the subject parcels for low density residential less than one dwelling per acre. This recommendation has been modified by the Consultants by letter dated April 24, 1984, to include "Campus Office Business Zone Use". This Board does not agree with this modification of (commerical industrial park)** professional service use* and therefore, rejects the recommendations of Raymond, Parish, Pine and Weiner to revise the Master Plan as stated in the 1983 proposed revision at this location in light of the current use of the parcels which are to be rezoned by this resolution which total 9.8 acres.

4. That although there was some comment at the public hearing, as well as in the application, regarding the inclusion of property now or formerly owned by Homeside Florist to the east of property owned by Estate of Eugene Andrae this Board does not find it desirable to include this parcel within the proposed zone change. This Board finds that the maintenance of agriculture use at the Homeside parcel will provide the buffering effect recommended by Raymond, Parish, Pine and Weiner in that the intersection of Route 25 and Route 105 shall not have an increase in business use. County Route 105 acts as a man-made barrier and presents a common sense method for subdividing the business use west of 105 from the less intense use east of 105.

5. That the Riverhead Water District currently serves the parcels within this change of zone.

6. That it has been the policy of this Town Board to actively enforce the Town Code provisions relative to site plan review which it is the opinion of this Board can best mold the uses of the subject property to the character of the surrounding environment.

7. That while this Board favors several of the proposed revisions to the Town Master Plan which have been suggested by Raymond, Parish, Pine and Weiner, this Board has not adopted the revisions to the Town Master Plan and therefore, the 1973 Master Plan is still in effect.

8. That this Town Board recognizes that a Master Plan does not require compliance therewith; instead the plan reflects the best judgement of the planners at the time of its creation and is in the nature of a general guide and not an ordinance and in this case although this Board desires to

RESOLUTIONS Continued

follow the 1973 Master Plan by permitting business use, it does not feel that this use must be limited to professional service buildings as suggested by the 1973 Master Plan.

9. That this Board takes into account all considerations and comments and in the resolution adopted herewith regarding the application of 25 East Realty Co. for rezoning north of 105 and incorporates them herein as if they were fully set forth herein.

10. That the site is suitable for a rezoning from an Agricultural A District to a Business B District.

11. That this Board has referred to the Planning Board for its review the current zoning status of Route 25 in the vicinity of Aquebogue, east of 105, and it is the intent of this Board to move in the direction of lessening the intensity of business development east of 105 on Route 25.

12. That access facilities are as adequate for proposed use in a Business B District as they would be in any of the permitted uses under the existing zoning classification.

13. That review of questions concerning adequate parking landscaping, buffer yards, walls, fencing and screening, and waste storage removal is adequately provided for in the Town of Riverhead's site plan review procedures.

14. That this rezoning is a logical extension of the Business B zone, currently existing to the west of the subject premises.

15. That the rezoning of the subject parcel - excluding that portion owned and operated by Homeside Florist will benefit the reasonable and orderly use and development of the area.

16. That any disadvantages alleged to be created by such rezoning are outweighed by the gain to the neighborhood and the Town.

17. That the health, safety, welfare, convenience and order of the Town will be benefitted by the proposed rezoning.

18. That the proposed rezoning is in harmony with and promotes the general purposes and intent of the zoning provisions of the Town of Riverhead.

19. That this Board accepts the recommendation of the Environmental Quality Review Board and determines that the rezoning sought herein is an action without a significant impact upon the environment.

20. That the "campus office business zone" as discussed in the Route 58 recommendations of Raymond, Parish, Pine and Weiner is suggested by the planner to include densities of less than 10 per cent lot coverage. The preliminary site plan submitted by the Sowinskis show a density of 7.7 per cent.

RESOLUTIONS Continued

and be it further

RESOLVED, that this Town Board amends the Town of Riverhead zoning ordinance by amending the zoning map to rezone the property described in Exhibit A attached herewith as Business B, and be it further

RESOLVED, that the Town Clerk shall publish and post a copy of this resolution once in The News-Review, and be it further

RESOLVED, that the Town Clerk is authorized to engage the services of Young & Young Land Surveyors to prepare a new Zoning Use District map incorporating therein the above change, and be it further

RESOLVED, that a copy of this resolution together with a copy of the new Zoning Use District Map incorporating the amendment heretofore adopted shall be posted on the sign board maintained by the Town Clerk and affidavits of posting thereof shall be filed with the Town Clerk's Office, and be it further

RESOLVED, that this amendment shall take effect ten (10) days after the Town Clerk shall publish and post this resolution, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., attorney for Douglas and Carol Sowinski and Arthur DiPietro, Esq.

Discription of area proposed to be zoning
Business "B" on the southerly side of Main
Road, Aquebogue, Town of Riverhead, New
York (Riverhead Beverage)

BEGINNING at a point formed by the intersection of the southerly line of Main Road (N.Y.S. Route 25) with the easterly line of Business "B" Zoning Use District line, which is on a continuation of the line of Business "B" Zoning Use District 700 feet easterly of Doctors Path, and running thence from said point of beginning easterly along the southerly line of said Main Road (N.Y.S. Route 25) to the easterly line of the land of Eugene L. Andrae;

thence southerly along the easterly line of the land of Eugene L. Andrae to a point which is distant 500 feet as measured at right angles from the southerly line of said Main Road (N.Y.S. Route 25);

thence westerly on a line parallel and distant 500 feet at right angles to a point in the existing Business "B" Zoning Use District;

thence northerly along the said easterly line of Business "B" Zoning Use District to the point or place of beginning.

RESOLUTIONS Continued

Supervisor Janoski, "Before we go on to roll call vote, I note that there is a typographical error on page 2. In number 3 on page 2 towards the center of the paragraph where it says "This Board does not agree with this modification of (commercial industrial park)" That is an error. It should say* professional service use. I have to apologize. The resolutions have been worked on and of course revised and unfortunately some of the old ones have turned up. So may I have a motion on that amendment to this resolution?"

Councilman Prusinowski moved the amendment and Councilman Lombardi seconded the motion.

The vote, Boschetti, no, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The amendment was thereupon duly declared adopted.

Supervisor Janoski, "The resolution before. It has been moved and seconded."

Councilman Boschetti, "I have a point of information to state:

I have, in the past, and do now, support and have actively worked for the economic reversal fo Riverhead Town. However, development of this community must follow a proper design and we must have a definable goal for such growth.

This is the case in this particular application. Having studied the area in question, having reviewed my notes of the public hearings, having read the opinions of our planners and other materials submitted to this Board, I have reached the following conclusions:

1. That the personal integrities of the applicants, Mr. and Mrs. Sowinski, are not in question here; nor is their capability to improve the site and operate a successful business - nor is their concern for the Town suspect. I believe that the Sowinski's have demonstrated a capacity to run an extremely respectful business and one that would improve any area in which it is located.

2. That the personalities of those who oppose this application, as well as those who favor it must be separated from the facts as presented. Therefore, my vote must not be regarded in any kind of reflection on the Sowinskis - as I truly believe them to be fine examples of professional business people.

3. That the site plan of the applicant and the request of change of zone are two separate and distinct issues - each of which is to be individually determined in accordance with its own merits.

4. That evidence presented shows the Agricultural A zone designation for the subject area is truly inappropriate due to the businesses currently located there, as well as the present residential uses of that section.

RESOLUTIONS Continued

5. Yet, notwithstanding number four above, approval of this application would remove any checks to the sprawl of commercial development by creating a Business B designation on each end of recommended low density development along Route 58 - this area would then be subject to the same kind of pressure as we see tonight, to increase the intensity of development along that segment of the highway.

Approval of this application would destroy the anticipated and needed transitional section this subject area should be providing.

6. That from the point of view of planning and the striving for reasonable, controlled growth throughout the Town but most particularly along the Route 58-25 corridor and only from that view as it applies to the planning of zoning of the areas throughout the Town and community development, I vote NO.

The vote, Boschetti, no, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#297 APPROVES CHANGE OF ZONE APPLICATION OF 25 EAST REALTY CO.

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

WHEREAS, the application of 25 East Realty Co. for an extension of the existing Business B Zone eastward to include property owned by the applicant, as depicted on the map filed with the Town, has been referred by the Town Clerk to the Riverhead Town Planning Board for its report and recommendations, and

WHEREAS, the Planning Board, on February 2, 1984, conducted a public meeting for the purpose of inter alia, reviewing the application of 25 East Realty Co., and

WHEREAS, various residents of the Town of Riverhead were present at this Planning Board meeting, and

WHEREAS, the Riverhead Town Planning Board without objection, resolved that the application of 25 East Realty Co. be approved, which resolution has been reviewed by this Town Board, and

WHEREAS, the Environmental Quality Review Board has reviewed this application and based upon such review, has determined that the rezoning sought herein will not have a significant impact on the environment, and

WHEREAS, a public hearing conducted on February 22, 1984 by the Riverhead Town Board was duly noticed and conducted, and no one spoke on the record at that hearing in opposition the application of 25 East Realty Co., and

WHEREAS, comments were accepted from the floor on March 6, 1984, and

WHEREAS, the public hearing was re-opened on April 3, 1984, after notice and publication by the Riverhead Town Board to allow further comment and testimony on the subject application but was adjourned because of an alleged defect in the notice of such public hearing, and

RESOLUTIONS Continued

WHEREAS, a final public hearing after due notice and publication, duly noticed, was held on April 17, 1984, by the Riverhead Town Board to hear all interested persons with regard to the subject application, and

WHEREAS, persons were heard by the Riverhead Town Board on April 17, 1984, at the public hearing both on behalf and in opposition to the approval of the application at issue herein, and

WHEREAS, each member of this Board is personally familiar with the subject application and the subject premises, and

NOW, THEREFORE Based upon the application made herein, the record of the public hearing, the records of the Town of Riverhead Building Department and Town Clerk's Office as well as the personal knowledge of this Town Board, THIS BOARD FINDS:

1. That the parcels proposed to be rezoned are currently zoned Agricultural A. That none of the property within the area rezoned by this resolution is currently used for agriculture as defined by the Agriculture and Markets Law, being rather used as business of a type compatible with Business B zoning and residence.

2. That an expansion of the existing Business B zone east to the boundary of the property owned by 25 East Realty Co. includes 8.8 acres of which 5.9 acres are currently used for Business B type purposes.

That the property to be rezoned is currently used for business. And, indeed, Mr. Stillwagon, a vocal opponent at the public hearing, stated that when he purchased his property twelve months ago he assumed that the property was business zoned at that time.

3. That this Board has reviewed the 1983 Route 58 Corridor Plan prepared by Raymond, Parish, Pine and Weiner, which plan shows the subject parcels for low density residential less than one dwelling per acre. This recommendation has been modified by the consultants by letter dated April 24, 1984, to include "Campus Office Business Zone Use". This Board does not agree with this modification of commercial industrial park and therefore, rejects the recommendations of Raymond, Parish, Pine and Weiner to revise the Master Plan as stated in the 1983 proposed revision at this location in light of the current use of the parcels which are to be rezoned by this resolution which total 8.8 acres of which 5.9 acres are currently in business use.

4. That although there was some comment at the public hearing, as well as in the application, regarding the inclusion of property now or formerly owned by Saul Lerner to the east of property owned by 25 East Realty Co., this Board does not find it desirable to include Mr. Lerner's parcel within the proposed zone change. This Board finds that the maintenance to agriculture use at the Saul Lerner parcel will provide the buffering effect recommended by Raymond, Parish, Pine and Weiner in that the intersection of Route 25 and Route 105 shall not have an increase in business use. County Route 105 acts as a man-made barrier and presents a common sense method for subdividing the business use west of 105 from the less intense use east of 105

RESOLUTIONS Continued

5. That the Riverhead Water District currently serves the parcels within this change of zone.

6. That it has been the policy of this Town Board to actively enforce the Town Code provisions relative to site plan review which it is the opinion of this Board can best mold the uses of the subject property to the character of the surrounding environment.

7. That while this Board favors several of the proposed revisions to the Town Master Plan which have been suggested by Raymond, Parish, Pine and Weiner, this Board has not adopted the revisions to the Town Master Plan and therefore, the 1973 Master Plan is still in effect.

8. That this Town Board recognizes that a Master Plan does not require compliance therewith; instead the plan reflects the best judgement of the planners at the time of its creation and is in the nature of a general guide and not an ordinance and in this case, although this Board desires to follow the 1973 Master Plan by permitting business use, it does not feel that this use must be limited to industry as suggested by the 1973 Master Plan.

9. That this Board takes into account all considerations and comments made in the resolution adopted herewith regarding the application of Douglas and Carol Sowinski for rezoning south of 105 and incorporates them herein as if they were fully set forth herein.

10. That the site is suitable for a rezoning from an Agricultural A District to a Business B District.

11. That the intensity of the business use and attendant parking and traffic flows relating thereto will not be increased by the change of zone since the property to be rezoned is already predominantly used in a commercial manner.

12. That access facilities are as adequate for proposed use in a Business B District as they would be in any of the permitted uses under the existing zoning classification.

13. That review of questions concerning adequate parking, landscaping, buffer yards, walls, fencing and screening, and waste storage removal is adequately provided for in the Town of Riverhead's site plan review procedures.

*15. That this rezoning of the subject parcel - excluding that portion owned and operated by Saul Lerner - will benefit the reasonable and orderly use and development of the area.

*14. That this rezoning is a logical extension of the Business B zone, currently existing to the west of the subject premises.

*Please note that item 14 and 15 are inverted (typo)

RESOLUTIONS Continued

16. That any disadvantages alleged to be created by such rezoning are outweighed by the gain to the neighborhood and the Town.

17. That the health, safety, welfare, convenience and order of the Town will be benefitted by the proposed rezoning.

18. That the proposed rezoning is in harmony with and promotes the general purposes and intent of the zoning provisions of the Town of Riverhead.

19. That this Board accepts the recommendation of the Environmental Quality Review Board and determines that the rezoning sought herein is an action without a significant impact upon the environment.

and be it further

RESOLVED, that this Town Board amends the Town of Riverhead zoning ordinance by amending the zoning map to rezone the property described in Exhibit A attached herewith as Business B, and be it further

RESOLVED, that the Town Clerk is authorized to engage the services of Young & Young Land Surveyors to prepare a new Zoning Use District map incorporating therein the above change, and be it further

RESOLVED, that a copy of this resolution together with a copy of the new Zoning Use District Map incorporating the amendment heretofore adopted shall be posted on the sign board maintained by the Town Clerk and affidavits of posting thereof shall be filed with the Town Clerk's Office, and be it further

RESOLVED, that this amendment shall take effect ten (10) days after the Town Clerk shall publish and post this resolution, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., attorney for 25 East Realty Co., and Arthur DiPietro, Esq.

Description of area proposed to be zoned
Business "B" on the northerly side of
Main Road, Aquebogue, Town of Riverhead
New York (Kinney Chevrolet-Olds, Inc.

BEGINNING at a point formed by the intersection of the northerly line of Main Road (N.Y.S. Route 25) with the easterly line of Business "B" Zoning Use District line, which is 700 feet easterly of Doctors Path, and running thence from said point of beginning northerly along said easterly line of Business "B" Zoning Use District line to the northerly line of the land of Ernest E. and Dorothy B. Draper;

RESOLUTIONS Continued

thence easterly and southerly along the northerly and easterly lines of the land of Ernest E. and Dorothy B. Draper to a point in a continuation westerly of the land of Camelia G. Stivers, across a right of way;

thence easterly on said continuation westerly of the northerly line of the land of Camelia G. Stivers and along the northerly line of land of Camelia G. Stivers to the land of Twnty-Five East Realty Co.;

thence northerly, easterly and southerly along the westerly, northerly and easterly lines of the land of Twenty Five East Realty Co. to a point in the northerly line of said Main Road (N.Y.S. Route 25);

Thence westerly along the northerly line of said Main Road (N.Y.S. Route 25) to the point or place of beginning.

The vote, Boschetti, *no, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

*Councilman Boschetti, "Due to all of the applicable aspects of my statement regarding resolution #296, I also vote NO on this resolution."

#298 TRANSFER OF FUNDS

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

RESOLVED, that the Supervisor be, and hereby is, authorized to transfer the following within Sewer District Funds:

	<u>FROM</u>	<u>TO</u>
SS 0599 Appropriated Fund Balance	\$10,500.00	
SS 8130.220 Sewer Equipment		\$10,500.00

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

The resolution was thereupon duly declared adopted.

(Also in Sewer Minutes)

#299 APPOINTS EILEEN FENTON.

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

RESOLVED, that EILEEN FENTON be and is hereby appointed to the position of a Secretary to the Town Board to be compensated at a bi-weekly salary of \$408 with no benefits effective immediately, and

RESOLUTIONS Continued

BE IT FURTHER RESOLVED, that EILEEN FENTON shall serve at the pleasure of the Town Board.

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Before I recess, is there anyone who wishes to address the Town Board? Ladies first. Mary Beth."

Mary Beth Andresen, "Mr. Janoski, members of the Town Board. I feel that your approval of the resolution for the down zoning, is a total slap in the face of the majority of the people in the Town of Aquebogue. You had before you, a petition containing over 300 names in defiance of down zoning. You have, in this room a 2-1 majority against down zoning. You had before you, the Parish, Pine and Weiner report that opposed this down zoning. Yet you went ahead and (you 5 people, 4 people who voted yes) took it upon yourself to not listen to the people. You, Mr. Janoski, were quoted in the local paper not too long ago as having town public hearings for the input from the public. You do not listen to them. I think that the entire thing is a mockery of the town's people."

Bill Stillwagon, "I can't believe you people. That you can take something and twist what I said for your own help and use that statement as why you are approving a down zoning. If I had said to you, well, I thought, when I moved in, Kinney Chevrolet was a lawnmower shop, would you have denied that? I just can't believe you people."

Supervisor Janoski, "Thank you."

Dorothy Draper, "I would like to set the record straight. There was no objection at the February 22 meeting. If you will check your records, you will find that is presented a letter. I was not here but the letter was presented asking you to withhold a decision on this down zoning."

Supervisor Janoski, "Yes."

Arlene Galasso, "I don't want to get personal or anything like that. I do business with a lot of these people and they do business with myself. If you're against down zoning of Agriculture A, I would like to know why no one spoke against down zoning of Agriculture A on the Bob Celic down zoning that they just presented a few minutes ago? Because that also was down zoning of Agriculture A. And if you're against down zoning of Agriculture A in one part of Riverhead, I think you should be against it in all parts of Riverhead. I am for the proposal of Bob Celic as a business person."

Supervisor Janoski, "Thank you. Without objection adjourned."

5/1/84

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There being no further business on motion or vote, the meeting adjourned at 9:38 p.m.

IJP:nm

Irene J. Pendzick
Irene J. Pendzick
Town Clerk