

Minutes of a Special Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, July 23, 1974, at 2:00 P.M.

Present:

John H. Leonard, Supervisor
 Robert G. Leonard, Town Justice
 Gregory R. Manning, Town Justice
 George G. Young, Councilman
 Francis E. Menendez, Councilman

WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

WE, the undersigned, being all members of the Town Board of the Town of Riverhead, Suffolk County and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York, at 2:00 P.M. on the 23rd day of July, 1974, and do consent to the holding of such meeting for the purpose of voting on the matter of Calling Public Hearing on proposed amendments to Zoning Ordinance No. 26 of the Town of Riverhead. (Barr-Heller).

Dated: July 23, 1974

TOWN BOARD MEMBERS
 TOWN OF RIVERHEAD, NEW YORK

SIGNED:

John H. Leonard
 Supervisor

Robert G. Leonard
 Town Justice

Gregory R. Manning
 Town Justice

George G. Young
 Councilman

Francis E. Menendez
 Councilman

(SEAL)

RESOLUTION

Councilman Young offered the following resolution which was seconded by Town Justice Manning.

BE IT RESOLVED, That the Town Clerk is hereby directed to publish the attached Notice of Public Hearing Calling a Public Hearing on an Amendment to Ordinance No. 26.

PUBLIC NOTICE

PLEASE TAKE NOTICE, That on the 6th day of August, 1974, at 2:00 P.M., a Public Hearing will be held before the Town Board of the Town of Riverhead, New York, to hear all interested persons in connection with the proposed amendments to Zoning Ordinance No. 26 of the Town of Riverhead, in the following respects:

RESOLUTION - continued:

FIRST: That Article II be amended to add the following sections:

SECTION 211 - MULTIPLE RESIDENCES - DISTRICT I

In order to partially implement the housing inventory objectives of the Comprehensive Plan dated 1973 for the Riverhead Hamlet area, as defined in sub-section "4" below, and while observing the objective with reference to this hamlet's overall population capacity, the Town Board may approve, pursuant to sub-section "3" below, condominium housing developments within the Residence "C" District situate in the defined Riverhead Hamlet through the application of sections 276 and 278 and section 281 of Article 16 of the Town Law, provided that the following minimum requirements are met:

(a) The proposed condominium site area shall be at least five acres and shall be within and served by the Riverhead Sewer and Water Districts.

(b) The dwelling unit densities permitted shall be based on the number of bedrooms per dwelling unit, which number shall be incorporated as a filed restriction in all deeds and titles related to the condominium site, as follows:

3 bedroom dwelling units	2.3 per acre
2 bedroom dwelling units	3.5 per acre
1 bedroom dwelling units	7.0 per acre

Studies, dens or similar potential bedrooms shall be counted as bedrooms, and that the overall dwelling unit density for the entire condominium site shall not exceed five dwelling units per acre.

(c) The application for a proposed condominium will be combined with an application for a cluster development pursuant to the provisions of Article VII of this Ordinance and both will be considered under this provision.

(d) The Planning Board and/or the Town Board, under these provisions and the procedures set forth in the Subdivision Regulations of the Town of Riverhead, may require the following additional data and information as a basis for approving such condominium subdivisions:

- 1) A complete site plan showing the location of all landscaping and other improvements including dwelling units and first floor elevations and the design of all buildings and structures;
- 2) The text of all filed restrictions on the use of the land and buildings, including the condominium agreement as will be submitted to the New York State Attorney General;

RESOLUTION - continued:

- 3) Any other information deemed by either Board in its discretion to be necessary to reasonable determination of the application;
 - 4) Expert testimony by independent engineers or architects to be paid for by the applicant.
- e) Any application made pursuant to the provisions of this section shall originate by an application to the Town Board, contrary provisions notwithstanding, and shall be referred to the Planning Board which will transmit its recommendations to the Town Board within sixty (60) days of referral.
- f) After receipt of the recommendations of the Planning Board, the Town Board shall hold a public hearing upon public notice as required by section 265 of the Town Law, and the applicant shall pay all expenses of said hearing.
- (2a) The Town Board shall determine that:
- 1) The use will not prevent or substantially impair either the reasonable and orderly use, or the reasonable and orderly development of other properties in the neighborhood.
 - 2) The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained, either by the neighborhood or the Town.
 - 3) The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the authorized use.
 - 4) Such use will be in harmony with and promote the general purposes and intent of this Ordinance.
- (b) The Planning Board and Town Board may consider among other matters or factors which the Board may deem material, whether:
- 1) The site is particularly suitable for the location of such use in the community.
 - 2) The plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof.
 - 3) The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area or other place of public assembly.

RESOLUTION - continued:

- 4) Access facilities are adequate for the estimated traffic from public streets and sidewalks, so as to assure the public safety in relation to the general character of the neighborhood and other existing or permitted uses within it, and to avoid traffic congestion; and further that vehicular entrances and exits shall be clearly visible from the street and not be within 75 feet of the intersection of street lines at a street intersection except under unusual circumstances.
- 5) All proposed curb cuts have been approved by the street or highway agency which has jurisdiction.
- 6) Adequate provisions have been made for emergency conditions.
- 7) There are off-street parking and truck loading spaces at least in the number required by the provisions of this Ordinance, but in any case, an adequate number for the anticipated number of occupants, both employees and patrons or visitors; and further, that the layout of the spaces and drive-ways are convenient and conducive to safe operation.
- 8) Adequate buffer yards, landscaping, walls, fences and screening are provided where necessary to protect adjacent properties and land uses.
- 9) Where necessary, special setback, yard, height, and building area coverage requirements, or easements, right-of-way or restrictive covenants shall be established.
- 10) Where appropriate, a public or semi-public plaza or recreational or other public areas will be located on the property.
- 11) Adequate provisions will be made for the collection and disposal of stormwater runoff from the site and of sanitary sewage, refuse or other waste, whether liquid, solid, gaseous or of other character.
- 12) Existing municipal services and facilities are adequate to provide for the needs of the proposed use.
- 13) The use will tend to generate or accumulate dirt or refuse, or tend to create any type of environmental pollution including vibration, noise, light, electrical discharges, odors, smoke, or irritants, particularly where they are discernible on adjacent properties or boundary streets.

RESOLUTION - continued:

14) The construction, installation or operation of the proposed use is such that there is a need for regulating the hours, days or similar aspects of its activity.

15) The proposed use recognizes and provides for the further special conditions and safeguards required for particular uses as may be determined by the Town or Planning Boards.

(3) The "Riverhead Hamlet" shall be bounded and described as follows:

(a) On the South by the southerly boundary of the Town of Riverhead;

(b) On the West by a line along the center line of Forge Road and thence along a straight line drawn from the intersection of the center line of Forge Road and the center line of Old River Road to the intersection of the center line of River Road and the center line of State Route 25 and thence along the center line of State Route 25 to a point where the same intersects the center line of the Long Island Expressway;

(c) On the North by a line running from the intersection of the center line of State Route 25 with the center line of the Long Island Expressway easterly along the center line of the Long Island Expressway to its most easterly point and thence along a straight line from said point to a point where the center line of Middle Road intersects the center line of Mill Road and thence easterly from said point on a straight line to a point on the center line of Roanoke Avenue said point being 300 feet from the intersection of the northerly side of Nadel Court with the easterly side of Roanoke Avenue; and thence continuing said straight line to a point where the same intersects the center line of Doctor's Path at a point and from said point along the center line of Doctor's Path southerly to the center line of Northville Turnpike at a point and from said point along the center line of Northville Turnpike easterly to the center line of County Road 105 and a point.

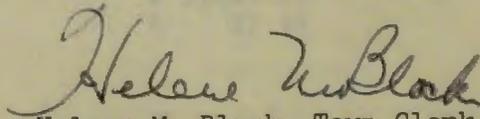
(d) On the East by the center line of County Road 105.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned.

HMB:mhj


Helene M. Block, Town Clerk