

12/18/73

466.

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, December 18th, 1973 at 7:30 P. M.

Present:

John H. Leonard, Supervisor
Thomas R. Costello, Town Justice
Robert G. Leonard, Town Justice
Vincent B. Grodski, Councilman
George G. Young, Councilman

Also present: Francis J. Yakaboski, Town Attorney
Alex E. Horton, Supt. of Highways

Supervisor Leonard called the Meeting to Order at 7:30 P. M.

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

RESOLVED, That the Town Board Meeting held on December 4, 1973, be approved as submitted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the following bills submitted on Abstracts dated December 18, 1973.

Special Districts	\$ 7,701.29
General Town	\$30,686.85
Highway Item #1	\$ 2,942.00
Highway Item #3	\$ 1,546.69
Highway Item #4	\$ 6,723.40

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

BE IT RESOLVED, That the following bills be approved for payment:

Special Districts	\$ 7,701.29
General Town	\$30,686.85
Highway Item #1	\$ 2,942.00
Highway Item #3	\$ 1,546.69
Highway Item #4	\$ 6,723.40

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

OPEN BIDS

After being duly advertised the following bids were opened by the Town Clerk on Tuesday, December 18, 1973 at 7:45 P. M.:

LIQUID ASPHALT REQUIREMENTS FOR 1974:

O. WELCH ASPHALT CO., 1064 Woodcrest Avenue, Riverhead, N. Y.

All following types of Asphalt cutback: MC-0, MC-1, MC-2, MC-3, RC-2, RC-3 at \$3.224 Per Gallon.

Distance of one mile from Town of Riverhead Highway Yard. Filed.
ASPHALTS, INC., Naugles Drive, Mattituck, L. I.

All following types of Asphalt cutback at \$.33 Per Gallon.

Distance of 6 miles from Town of Riverhead Highway Yard. Filed.

SOUTH SHORE ASPHALT CO. S. 4th Street & Corbin Ave., Brentwood, N. Y.

All following types of Asphalt cutback: at \$0.341 Per Gallon. Filed.

No action taken at awarding bid at this meeting.

READY-MIX CONCRETE:

Gallagher Service Corp., Box TT, Comsewoque Road, East Setauket, New York

	A. 1-2-3 Mix	Price per cubic yard	\$26.50
	B. 1-2-4 Mix	"	\$26.50
Filed.	C. 1-2-3 Hi-Early Mix	"	\$26.50

SUFFOLK CEMENT PRODUCTS, INC., Route 58, Calverton, N. Y. 11933

	A. 1-2-3 Mix	Price per cubic yard	\$26.00
	B. 1-2-3 Mix	"	\$25.00
Filed.	C. 1-2-3 Hi-Early Mix	"	-----

Brookhaven Aggregates, Ltd. Whisky Road, P. O. Box 205, Coram, N. Y. 11727

GRITS:

Price per Ton Grit delivered to Riverhead Town Highway Yard, Osborne Ave., Riverhead, N. Y. as directed by Supt. of Highways:	\$4.60 Ton	
Price per Town Grit picket up at Plant of successful bidders:	\$3.55 "	Filed.

TWO 1974 THREE-QUARTER TON PICKUP TRUCKS:

O'Keefe Chevrolet-Olds, Inc., East Main Street, Riverhead, N. Y.

Delivery Date: Feb. 15th, 1974 Chev. Model CK20903		
Delivered Price of 2 -3/4 Ton Pickup Trucks	\$8250.00	
Less Trade-Ins - 2 Pickup Trucks	\$2250.00	
NET DELIVERED PRICE TWO 1974 PICKUP TRUCKS	\$6000.00	Filed.

J. J. HART, Inc., Route 58, Riverhead, N. Y. 11901

Delivered Date of Model F250 4x4 Model Pickup Trucks -as soon as possible		
Delivered Price of 2-3/4 Ton Pickup Trucks	\$7843.00	
LESS Trade-ins - 2 Pickup Trucks	\$1450.00	

NET DELIVERED PRICE TWO 1974 PICKUP TRUCKS	\$6393.00	Filed.
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OPEN BIDS-continued: 3/4 Ton Pickup Trucks:

Tryac Truck & Equipment Co., Inc., Route 58, P. O. Box 98, Riverhead, N. Y. 11901

Delivery date of 2 International Model 200 4 x 4 Pickup Trucks		
Delivered Price of 2 - 3/4 Ton Pickup Trucks	\$8056.00	
LESS TRADE-INS-2 Pickup Trucks	\$1900.00	
NET DELIVERED PRICE TWO 1974 PICKUP TRUCKS	\$6156.00	Filed:

REPORTS

Supervisor's, month of November, 1973. Filed.

Recreation Department, month of November, 1973. Filed.

ANSWER TO COMPLAINT

Frank Zoltowski, et al vs. Town Board & John and Wanda Wittmeier. Filed.

REPORT

Police Chief Grodski re Parking Meter Spaces on Court Street(reply to Anthony Leanza: "Parking Meter Spaces on Court Street"-dated 12/5/73.

The undersigned has checked parking meter spaces C-35 and C-36 at 216 Court Street, Riverhead, N. Y. and the total space of these two stalls measures 40 ft. and 4 ins. with a driveway on each end. The average passenger motor vehicle measures about 18-1/2ft. in length and the recommendation for a painted stall calls for 20 to 22 ft. I feel that if the stalls and the two existing driveways were painted it should resolve the matter.

It is also reported that the new Suffolk County Court building at the County Center will be opened in the early part of 1974 and this would reduce court traffic and the parking of Sheriff's vehicles at this point.

The elimination of one of these stalls and the creating of only one stall in a 40 ft. plus space would only invite parking violations by "squeeze in" parkers.

Respectfully submitted by
S. J. Grodski, Chief of Police" (end)

PERSONAL APPEARANCES

Supervisor Leonard asked if anyone wished to be heard and the following responded:

BERT RHODES, WADING RIVER: Asked if the Board had any consideration or concern for all future construction of transmission power lines to be placed underground. He mentioned the recent storms in Nassau and western Suffolk County and the loss of electricity due to the lines being above the ground.

Mr. Rhodes asked if the Board would consider enacting an ordinance requiring LILCO to put their power lines underground or give this suggestion to the Planning Board to investigate the feasibility of such a proposal.

HIGHWAY DEPARTMENT

Mr. Horton, Supt. of Highways, reminded Judge Costello that Mr. Moore has advised him that he did not get paid for the plaque. (Sound Avenue Church).

Judge Costello assured Mr. Horton he will take care of the matter.

POLICE DEPARTMENT

Police Chief Grodski wished everyone a Merry Christmas.

BUILDING DEPARTMENT

Edward R. Munson, Building Inspector, said there has been a lot of write-ups in the papers about the Perkins Inn becoming an old-age home. He said he believed someone is trying to buy it and convert it into something like an old-age home. At the present time everything is at a stand still as the plans must be approved by the State Building Code's Plan and Specification Bureau. They care less about the condition of the structure of the building. The wiring is bad, the plumbing is bad and the boiler is bad. They have plans that are inefficient - so whatever you read in the paper is untrue.

EXECUTIVE SESSION -Friday, December 28th, 1973.

1. A.M. 10:00 William Esseks, Esq., Re Cluster Zoning and Donald Denis appeared before the Town Board in Executive Session. The Session was taped and will remain on file in the Town Clerk's Office for one year.

2. 10:30 A. M. George Schmelzer appeared before the Town Board re Mobile Home Park. The Session was taped and will remain on file in the Town Clerk's Office for one year.

3. 10:45 A. M. Edward Kelley appeared before the Board on Insurance Matters.
(End)

COMMUNICATIONS

Suffolk County Dept. of Planning, dated 12/6/73 relating to Town of Brookhaven amended Zone Ordinance Sec. 85-238D Cluster Zoning. Stating in the event there is no reply by Dec. 23, 1973, they will assume there are no objections. Filed. Copies to Town Agencies.

Holzmacher, McLendon and Murrell, P. C., dated 12/7/73, requesting information relating to landfill. Filed.
Referred to Supervisor Leonard for reply.

George Autenreith, Chairman, Board of Assessors, dated 12/7/73, requesting resolution abolishing the position of stenographer in the Assessor's Office be submitted to the Town Board, effective date to be Dec. 21, 1973. Filed.
Copies to Town Board and Town Attorney.

State of N. Y. Dept. of Transportation, dated 11/19/73, establishes a two-hour parking prohibition on Route 25-50 ft. east of the east curb line of Court St., - the west curb line of Osborne Avenue - for a period of longer than two hours from 9:00 A. M. to 5:00 P. M., except Sundays and holidays. Filed.

Copies to Town Board, Town Attorney, Police Chief and Mr. Horton.

Manorville Fire District, dated 12/12/73, report on election of Fire Commissioner.

COMMUNICATIONS continued:

Wading River Fire District, Report on Election of Fire District Commissioner and Treasurer. Filed.

Jamesport Fire Department, dated 12/11/73 submitting report of Jamesport Annual Election held for one Commissioner and one Treasurer. Filed.

State of N. Y. Dept. of Transportation, dated 11/27/73, stating the matter of request concerning speed limit on old Country Road CR58, Calverton to Aquebogue will be surveyed and the appropriate action will be taken. Filed.

Copies to Town Board, Town Attorney, Police Chief and Mr. Horton.

Perry V. Conklin, Sr., Chairman of Board of Trustees, expressing appreciation for the installation of street light at the corner of Church Lane and Sound Avenue. Filed.

Riverhead Fire District, Secretary, dated 12/11/73, submitting report of Annual Election held Dec. 11, 1973. Filed.

Riverhead Planning Board, dated 12/12/73, recommendation and report on Thomas McKay, Dedication of 20 acres of land to Town of Riverhead:

"WHEREAS, the attorney for the petitioner states in his letter to this Board of November 28, 1973 that the Town Board of the Town of Riverhead has heretofore denied the petitioner's application for issuance of a special permit for multiple dwellings on property located on the north side of Middle Road; the ownership of which was in the name of Thomas L. McKay, and

WHEREAS, the Riverhead Town Planning Board has been informed that a legal proceeding is now pending against the Town Board of the Town of Riverhead to compel said Board to issue the permit above referred to, and

WHEREAS, a proposal was made to the Town Board to settle the litigation, and

WHEREAS, a proposed resolution pertaining to the same has been referred by the Town Board to this Board for recommendation and report, and

WHEREAS, this Board is of the opinion that such matters do not come within the scope of the duties of a Planning Board,

NOW THEREFORE BE IT RESOLVED that this Board make no recommendation to the Town Board concerning or pertaining to the matter of settlement of litigation now pending." (End)

Copies to Town Agencies.

LILCO, dated 12/11/73 submits the following surveys for installations of lighting needs:

Shady Lane, Wading River

Install 1-7600 LMV on Pole #2 at annual cost of \$52. 20.

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COMMUNICATIONS continued:

Cliff Road-Wading River

Install 1-7600 LMV (at annual cost of \$52. 20) on Pole #19.

Front Street, South Jamesport

Replace 1,000 lumen with one 7600 lumen MV on Pole #11 at additional cost of \$27.27 per year.

Bayberry Road, Recreation Park, Wading River.

Install 5 - 7000 Lumen lights on Poles 9A, 9B, 9C, 9D and 9E and one 21,000 lumen flood light on Pole 9F at additional monthly cost of \$34.09. Filed.

Alex E. Horton, Supt. of Highways, dated 12/12/73, calling attention to the following corrections in the Dec. 4, 1973 Town Board Minutes: The Town Board did not direct Mr. Horton to clean pipes at Tidewoods, they asked Mr. Horton to do the work and also agreed to reimburse the Highway Department \$200. 00 for performing said work. Also there is nothing mentioned in the minutes about the resolution read by Robert Leonard in reference to the position of Messenger Driver. Filed.

Copies to Town Board.

Town Clerk announced that she is not obligated to insert a resolution in the Minutes that has not been seconded.

Councilman Young: "Just for the record let's say we will agree to pay Mr. Horton \$200 for the work of cleaning pipes at Tidewoods. "

Suffolk Chapter Civil Service Employees Association, Irwin M. Scharfeld, Field Representative, dated 12/11/73, expressing shock and disappointment that no action has been taken by the Board regarding the position of "Driver Messenger" in the Highway Department. Filed.

Copies to Town Board.

Supervisor Charles W. Barraud, dated 12/14/73 requesting the Town of Riverhead to consider the name of County Road 111 as Captain Daniel Roe Highway (small portion of road). Filed.

After discussion the matter was referred to Supervisor Leonard for reply.

SUPERVISOR LEONARD RECESSED THE MEETING TO HOLD A PUBLIC HEARING.

PUBLIC HEARING-8:00 P. M.

Town Clerk submitted affidavits of publishing and posting Notice of Public Hearing on proposal to amend Zoning Ordinance No. 26 to establish new parking requirements for retail stores in Business B Use District.

The affidavits were ordered filed.

Town Clerk read Affidavit of publishing.

Town Clerk read Riverhead Town Planning Board communication under date of 11/7/73 and placed on file.

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PUBLIC HEARING continued:

Supervisor Leonard thereupon declared the Hearing open and asked if anyone wished to be heard.

Wm. Esseks, Esq., representing the petitioners appeared before the Board and showed an exhibit which other Towns have concerning parking for shopping centers.

Mr. Esseks advised the Board that his clients are requesting the same type of resolution as the Planning Board has recommended.

Mr. Esseks said he thought this type of parking will make Riverhead the most conservative (except Smithtown) of all Towns in Suffolk County.

COUNCILMAN YOUNG: "This is a little more than Smithtown."

MR. ESSEKS: "Very similiar to Smithtown".

EDWARD R. MUNSON: "This doesn't affect the critera that one parking space where area of the parking field still remains at 334 sq. ft."

MR. ESSEKS: The only area that we are trying to change is the square footage of the inside of the stall."

JOHN P. RIESDORPH: "Will this apply to the downtown stores?"

MR. ESSEKS: "No, only to shopping centers".

No one else wishing to be heard and no further communications having been received thereto, Supervisor Leonard declared the Hearing closed.

NEW BUSINESS

Supervisor Leonard pointed out that this would be the last meeting of the old Board and said while he has not always agreed with Councilman Grodski and Judge Costello who are leaving, he said they got along as best they could and did what they thought was right.

Supervisor Leonard thanked Vince Grodski and Judge Costello for all the cooperatiön they have given him and extended good wishes for their future plans.

Judge Costello said it is like leaving old friends after 13 years and it is his last "hurrah". He said he enjoyed every moment and as the Supervisor said while we didn't always agree it was not without merit on either side.

Judge Costello expressed his sincere thanks to all of the people in the Town of Riverhead for their expression of faithfulness and their confidence in him.

Councilman Vincent Grodski said since this is his last official meeting, he would like to say that he has sat on the Board for exactly ten years and can point out with pride to having had a 100 percent perfect attendance record.

Councilman Grodski further stated he still wants to be involved in Town affairs. He hopes the new Board will generate efforts to guide Riverhead's growth. The updated Master Plan will be the key factor for guidance. The burden of decisions will become greater on the Board.

NEW BUSINESS continued:

Councilman Grodski said he was happy to be a part of this Board and he will remain involved.

Councilman Young also spoke saying he has been on the Board for ten years and while there has been differences, that is what they are getting paid for.

Councilman Young said he has been happy to have been associated with Judge Costello and Councilman Vincent Grodski.

Supervisor Leonard wished everyone a Merry Christmas and Happy Holidays.

RESOLUTIONS

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

WHEREAS, the Board of Education of Central School District No. 2 has inquired as to whether the Town Board of the Town of Riverhead would accept, if approved by the voters of said district, pursuant to the provisions of the Education Law, a conveyance by the said Board of Education of the Jamesport school site subject to the following reverter clause:

"As long as the premises are devoted to public use by the Town of Riverhead, and it is agreed that whenever public use of the premises shall be abandoned, the premises automatically revert to Central School District No. 2, Towns of Riverhead, Brookhaven and Southampton, its successors or assigns; it being the intention of the parties that this instrument be construed as a conveyance of a base, determinable or qualified fee on limitation."

WHEREAS, the Town Board has referred this matter to special counsel for consideration, and

WHEREAS, special counsel made his recommendation to the Supervisor who has reported to this Board,

NOW, THEREFORE, BE IT RESOLVED that in the event the voters of Central School District No. 2 approve of a conveyance by the Board of Education of the Jamesport school site, without consideration, for public use to the Town Board of the Town of Riverhead will accept a conveyance of the Jamesport School site, subject to the terms and conditions proposed by the Board of Education.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS continued:

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

RESOLVED, that a Public Hearing will be held on the 2nd day of January, 1974 at 11:45 A. M. , at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, to hear all interested persons in connection with amendments to Zoning Ordinance No. 26 of the Town of Riverhead, and be it

FURTHER RESOLVED, That the Town Clerk is hereby directed to publish the annexed public notice in the official newspaper of the Town of Riverhead:

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 2nd day of January, 1974, at 11:45 A. M. , at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, to hear all interested persons in connection with amendments to Zoning Ordinance No. 26 of the Town of Riverhead, as follows:

That Section 208-A-2-d be amended to read as follows:

"Billiard Parlors by special permit of the Town Board. "

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

In the Matter of an Application for	:	<u>RESOLUTION</u>
Amendment to Riverhead Town Ordinance	:	GRANTING AMENDMENT TO
No. 26 known as the Zoning Ordinance,	:	ZONING ORDINANCE NO. 26.
Town of Riverhead, Suffolk Co. , New York.	:	

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law and other statutes made and provided in connection with amending Town Ordinance No. 26 known as the "Zoning Ordinance of the Town of Riverhead,

WHEREAS, the Town Board of the Town of Riverhead has considered the petition of Riverhead Associates, dated the 12th day of September, 1973, and has decided it was in the public interest to call a Public Hearing pursuant to Article I, Section 102. 45 of said Ordinance, and in accordance with the New York Town Law, Section 265, to consider the amendment of the Town Ordinance No. 26 known as the "Zoning Ordinance of the Town of Riverhead, Suffolk County, New York".

WHEREAS, such hearing was held pursuant to notice duly given at a meeting of the Town Board in the Town Hall, 220 Roanoke Avenue, Riverhead, New York on Tuesday, December 18, 1973, at which all persons desiring to be heard in favor of the amendment and those desiring to be heard in opposition thereto were given an opportunity to be heard, and thereafter the Public Hearing was closed and decision reserved;

RESOLUTION continued:

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Riverhead, that the Town Board of the Town of Riverhead does hereby grant the Amendment of Riverhead Town Ordinance No. 26 known as the "Zoning Ordinance, Town of Riverhead, Suffolk County, New York, "as follows:

By changing ARTICLE III, Parking Schedule, Section 301(1)--- (q) of the Riverhead Town Zoning Ordinance to read:

"q. Retail stores in Business "B" District. *
One (1) per one hundred twenty (120) square feet of floor area.

*Excluding square feet of floor areas used for stairwells, elevators and rest rooms of buildings. "

BE IT FURTHER RESOLVED that the Town Clerk be and she hereby is authorized and directed to record the granting of said Amendment of Riverhead Town Ordinance No. 26, known as the Zoning Ordinance, Town of Riverhead, Suffolk County, New York of ARTICLE III, Parking Schedule, Section 301(1)---(q) in the minutes of the Town Board and to post and to publish a copy of said amendment pursuant to the New York Town Law, Section 265.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

WHEREAS, Osborne Avenue and Harrison Avenue in the Town of Riverhead are, in certain portions, without curbs, gutters and sidewalks along their easterly boundaries where such boundaries are adjacent to the premises owned by the Central School District No. 2, and

WHEREAS, this lack of sidewalks, curbs and gutters poses a potential danger to the students of Central School District No. 2,

NOW, THEREFORE, BE IT RESOLVED that the Superintendent of Highways is authorized and directed to construct curbs, gutters and sidewalks along the easterly boundaries of Osborne and Harrison Avenues in accordance with a survey prepared by Young and Young, and that the cost be apportioned so that the Town of Riverhead shall bear the cost of the construction of the curbs and gutters and that Central School District No. 2 shall bear the cost of the construction of the sidewalks.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

WHEREAS, The Superintendent of Highways has employed Joseph E. Yakaboski as a Temporary Laborer in the Highway Department effective November 27, 1973,

NOW, THEREFORE, BE IT RESOLVED, That Joseph E. Yakaboski be and is hereby employed by the Town of Riverhead as a Temporary Laborer in the Highway Department at the rate of \$3.00 per hour, effective November 27, 1973.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That the employment of Thomas E. Walters, Joseph Yakaboski, Paul Kreshon, and Stanley Udell, Temporary Laborers in the Highway Department, be and are hereby terminated effective December 7, 1973.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That Highway bills submitted on Abstracts dated December 18, 1973, as follows: Machinery Item No. 3 - Van Dyck & Yousik, Inc., bill dated December 1, 1973, in the amount of \$595.46, and Miscellaneous Item No. 4 - Capitol Highway Materials, Inc., bills dated October 11, 1973 and November 28, 1973, totaling \$908.75; be and the same are hereby approved for payment.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the application of GEORGE SCHMELZER for a special permit to construct a mobile home park off River Road, Calverton, New York, be and hereby is referred to the Planning Board for its report and recommendation.

RESOLUTION - continued:

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

RESOLVED, Whereas the Town's Insurance Agent has recommended that all Town Property, both real and personal, be appraised for insurance purposes,

NOW, THEREFORE, IT IS HEREBY RESOLVED, That the General Adjustment Bureau, Inc. be and hereby is engaged to perform an appraisal of all Town Property, both real and personal, and that said firm be paid the sum of \$1,490.00 for such services.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

RESOLVED, That this Board hereby determine to take no action with respect to recent Planning Board recommendations that the Town acquire a parcel of real property off Hallock Street for drainage purposes, as per filed map dated March 9, 1973 No. 73-217 Office of Young and Young.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That the bid for the purchase of Two (2) New 1974 Three-Quarter Ton Pick-Up Trucks for use of the Riverhead Town Highway Department, be and is hereby awarded to O'KEEFE CHEVROLET-OLDS, at a cost of \$6,000.00, subject to its bid and specification form filed in the office of the Town Clerk, and

FURTHER RESOLVED, That the acceptance of said bid is subject to the approval of the Suffolk County Superintendent of Highways/ Suffolk County of Public Works.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued:

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That the bid for Ready-Mix Concrete requirements for use of the Town of Riverhead Highway Department be and is hereby awarded to SUFFOLK CEMENT PRODUCTS, INC., for the following items and prices:

- | | | |
|----|---------------------|--------------------------------------|
| A. | 1-2-3 Mix | Price per cubic yard \$ <u>26.00</u> |
| B. | 1-2-4 Mix | Price per cubic yard \$ <u>25.00</u> |
| C. | 1-2-3- Hi Early Mix | Price per cubic yard \$ <u>-----</u> |

FURTHER RESOLVED, That the acceptance of said bid is subject to the bid and specification form submitted by the Superintendent of Highways, and filed in the office of the Town Clerk, and be it

FURTHER RESOLVED, That the items and services specified shall be purchased as directed by the Superintendent of Highways.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That the bid for Grit Requirements for use of the Town of Riverhead Highway Department, be and is hereby awarded to BROOKHAVEN AGGREGATES, LTD., Whiskey Road, P.O. Box 205, Coram, New York 11727, at a cost of \$4.60 DELIVERED and \$3.55 per ton if PICKED UP,

FURTHER RESOLVED, That the acceptance of said bid is subject to the bid and specification form submitted by Superintendent of Highways, and filed in the Town Clerk's Office, and be it

FURTHER RESOLVED, That the item and services specified shall be purchased as directed by the Superintendent of Highways.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids for One (1) New 1974 Van for use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 10:45 A.M. on Wednesday, January 2, 1974, and be it further

RESOLUTION - continued:

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Wednesday, January 2, 1974, at 10:45 A.M., at the Town Board Meeting Room, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation "Bid on Van".

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the Supervisor be and is hereby authorized to transfer the sum of \$1,144.42 from A1990.4 Contingent Account to A8560.4 Shade Trees to meet payment to Wick's Nurseries for trees awarded by bid in Town Board resolution of May 1, 1973.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Leonard offered the following resolution which was seconded by Town Justice Costello.

RESOLVED, That this Town Board ratifies the action of the Supervisor in redeeming the following Time Certificates of Deposit from the Franklin National Bank on December 5th, 1973:

\$100,000.00	General Town Funds	Interest	\$3,346.87
\$ 20,000.00	General Town (Special Trust)	"	536.00
\$ 8,000.00	General Town Fund	"	210.10
\$ 2,000.00	Parking Meter Fund	"	53.10
\$ 19,972.80	Highway Dept. Item #1 Escrow	"	669.05
\$ 5,027.20	Ambulance Fund	"	167.67
\$ 20,000.00	Lighting District Funds	"	532.80

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued:

Town Justice Leonard offered the following resolution which was seconded by Town Justice Costello.

RESOLVED, That this Board ratifies the action of the Supervisor in redeeming the following Time Certificates of Deposit on November 5, 1973:

\$100,000	General Town Funds	Security Nat'l. Bk.	Int.	\$2,562.50
\$ 25,000	Welfare Dept. Funds	"	"	640.63
\$30,000	Lighting Dist. Funds	Franklin Nat'l. Bk.	"	525.20

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That Sophie Waski, Deputy Welfare Officer, be and is hereby authorized to attend a Training Session of the Suffolk County Department of Social Services in Hauppauge on December 19th, 1973 from 9:30 A.M. to 4:30 P.M., and all expenses incurred thereto be paid.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Leonard offered the following resolution which was seconded by Town Justice Costello.

RESOLVED, That Supervisor Elect, John H. Leonard, shall furnish a public official bond in the amount of \$40,000.00,

FURTHER RESOLVED, That the Town Board does and hereby approves Bond #2428685 (2 year term), John H. Leonard, Principal and the Travelers Indemnity Co., Surety, in the amount of \$40,000.00,

FURTHER RESOLVED, That a copy of this Bond be filed in the Office if the Suffolk County Clerk.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued:

Town Justice Leonard offered the following resolution which was seconded by Town Justice Costello.

RESOLVED, That Town Clerk Elect, Helene M. Block, shall furnish a Public Official Bond in the sum of \$25,000.00,

FURTHER RESOLVED, That the Town Board does and it hereby approves Bond #2394312 (2 year term), Helene M. Block, Principal and the Royal Indemnity Company, Surety, in the sum of \$25,000.00,

FURTHER RESOLVED, That a copy of this Bond be filed in the Office of the Suffolk County Clerk.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Leonard offered the following resolution which was seconded by Town Justice Costello.

RESOLVED, That Superintendent of Highways Elect, Alexander E. Horton, shall furnish a Public Official Bond in the sum of \$4,000.00,

FURTHER RESOLVED, That the Town Board does and it hereby approves Bond #2394313 (2 year term), Alexander E. Horton, Principal and the Royal Indemnity Company, Surety, in the sum of \$4,000.00,

FURTHER RESOLVED, That a copy of this Bond be filed in the Office of the Suffolk County Clerk.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

RESOLVED, That Town Justice Elect, Gregory Richard Manning, shall furnish a Public Official Bond in the amount of \$4,000.00,

FURTHER RESOLVED, That the Town Board does and hereby approves Bond #2428684 (4 year term), Gregory Richard Manning, Principal, and the Travelers Indemnity Co., Surety in the amount of \$4,000.00,

FURTHER RESOLVED, That a copy of this Bond be filed in the Office of the Suffolk County Clerk.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

RESOLVED, That the Supervisor be and is hereby authorized to redeem the following Time Certificates of Deposit:

12/18/73

482.

RESOLUTION - continued:

12/18/73	\$100,000	General Town Funds	Franklin Bank	Int. \$5,500.
12/18/73	\$100,000	"	" Security Bank	" \$5,500.
12/20/73	\$ 53,000	"	" Franklin Bank	" \$ 429.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Leonard offered the following resolution which was seconded by Town Justice Costello.

WHEREAS, Chapter 714 of the Laws of 1959 reenacted Section 164 of the Social Welfare Law, effective April 22, 1959, to allow the legislative body of a county, city or town responsible for providing home relief to determine and direct that employable home relief recipients be assigned to perform, exclusive of any work ordinarily performed by regular employees of such county, city or town or by craft or trade in private employment;

WHEREAS, It appears to this Board to be in the best interest of both the Town of Riverhead and of employable persons receiving home relief therefrom that such persons be assigned to perform such work for such town, its departments, bureaus, divisions and other units thereof, as they are able to perform and which is not prohibited by such Section 164 of the Social Welfare Law, it is

RESOLVED, Pursuant to Section 164 of the Social Welfare Law as added by Chapter 714 of the Laws of 1959, by the Town Board of the Town of Riverhead, that it is the determination and direction of this Board that employable persons in receipt of home relief shall be assigned to perform work for the Town of Riverhead, the head of any of its departments, bureaus, divisions or other units thereof whenever request is made that such persons be assigned to his unit, such request to be addressed to the Public Welfare Official of this Town and the number of persons to be used and the character of the work to be performed indicated, and it is further

RESOLVED, That the Public Welfare Official of the Town, upon receipt of such a request shall thereupon assign such persons in receipt of home relief who, in his judgment, are able to perform the work indicated, provided he is satisfied that such persons will not be used to replace, or to perform any work ordinarily performed by regular employees of any department or other units of this Town, or to replace, or to perform any work which would ordinarily be performed by craft or trade in private employment; and it is further

RESOLVED, That persons shall be assigned to perform only such work as they are able, in the judgment of the Public Welfare Official to perform, and it is further

RESOLUTION - continued:

RESOLVED, That the number of days of work to be given each person shall be determined by the amount of the budget deficit of the recipient and his family computed on local home relief budget schedules, and no person shall be required to work for more than the number of days necessary to earn such amount, at the rate of \$2.35 per hour, or to be paid more than such amount, and no person shall be required to work more than eight hours in a day or more than forty hours in a week; and it is further

RESOLVED, That any person who refuses to report for or to perform work to which he has been assigned by the Public Welfare Official shall thereupon become ineligible for home relief; and it is further

RESOLVED, That this resolution shall take effect on the 2nd day of January, 1974.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

BE IT RESOLVED, That the Long Island Lighting Company be and is hereby authorized to install the following lighting needs:

Front Street, South Jamesport

Install 1-7600 LM - Remove 1-1000 LOH (additional cost of \$27.27 yearly)

Shady Lane, Wading River

Install 1-7600 LMV on Pole #2 (cost of \$52.20 annually)

Cliff Road, Wading River

Install 1-7600 MV light on Pole #19 (\$52.20 cost annually)

Bayberry Road Recreation Park-Wading River

Install 5-7000 Lumen lights on Pole 9A, 9B, 9C, 9D and 9E and one 21,000 lumen flood light on Pole #9F (monthly cost \$34.09)

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Leonard offered the following resolution which was seconded by Town Justice Costello, and unanimously adopted.

WHEREAS, Frank H. Firth completes six years of services as Assessor for the Town of Riverhead, on December 31, 1973, the date on which he will officially resign, and

RESOLUTION - continued:

WHEREAS, Frank H. Firth has well earned the never-ending gratitude of the officials and employees of the Town of Riverhead, now

THEREFORE, BE IT RESOLVED, That this Town Board extends to Frank H. Firth, its humble expression of esteem in servicing the Town of Riverhead its best wishes for good health, and many years to enjoy a life of retirement, and

BE IT FURTHER RESOLVED, That a copy of this resolution be spread upon the permanent record of this Town and that a copy be suitably engrossed and presented to him. (End)

Town Justice Leonard offered the following resolution which was seconded by Councilman Grodski.

- - - - -X		
In the Matter of an Application for	X	<u>RESOLUTION</u>
Amendment to Riverhead Town Ordinance	X	GRANTING AMENDMENT TO
#26, known as the Zoning Ordinance, Town	X	ZONING ORDINANCE
of Riverhead, Suffolk County, New York	X	
- - - - -X		

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law and other statutes made and provided in connection with amending Town Ordinance No. 26 known as the "Zoning Ordinance of the Town of Riverhead, Suffolk County, New York", in accordance with Article V of said Town Ordinance No. 26 of the Town of Riverhead,

WHEREAS, The Town Board of the Town of Riverhead has considered the petition of Leonard Realty Investment Co., dated the 15th day of August, 1973, and has decided it was in the public interest to call a Public Hearing pursuant to Article V of said Ordinance, and in accordance with the New York Town Law, Section 265, to consider the amendment of the Town Ordinance No. 26 known as the "Zoning Ordinance of the Town of Riverhead, Suffolk County, New York",

WHEREAS, Such hearing was held pursuant to notice duly given at a meeting of the Town Board in the Town Hall, 220 Roanoke Avenue, Riverhead, New York, on Tuesday, November 20, 1973, at which all persons desiring to be heard in favor of the amendment and those desiring to be heard in opposition thereto were given an opportunity to be heard, and thereafter the Public Hearing was closed and decision reserved;

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Riverhead, that the Town Board of the Town of Riverhead does hereby grant the Amendment of Riverhead Town Ordinance No. 26 known as the "Zoning Ordinance of the Town of Riverhead, Suffolk County, New York," as follows:

By adding a new Article thereto to be Article VII. to read as follows:

RESOLUTION - continued:ARTICLE VIICLUSTER DEVELOPMENTSECTION 700PURPOSE

Pursuant to the provisions of Section 281 of the Town Law of the State of New York, the purpose of this Amendment to the Riverhead Zoning Ordinance is to enable and encourage flexibility of design and development of land in such a manner as to promote the most appropriate use of land, to facilitate the adequate and economical provision of streets and utilities, and to preserve the natural and scenic qualities of open lands, in order to provide larger areas of open space, both for recreational and conservational purposes and in order to implement objectives of the comprehensive plan when adopted.

SECTION 701ADOPTION OF SECTION 281 OF THE TOWN LAW

The Town Board of the Town of Riverhead hereby elects to adopt the provisions of Section 281 and exercises the powers granted by Section 281 of the Town Law and hereby grants to the Planning Board of the Town of Riverhead appropriate authority as set forth in this Article.

SECTION 702AREAS TO WHICH ORDINANCE APPLIES

This Article shall be applicable only to land zoned for residential purposes in the Town of Riverhead and which is in Residence District A, or Agriculture A, under the Town of Riverhead Zoning Ordinance.

SECTION 703703A PROCEDURES BEFORE THE PLANNING BOARD AND TOWN BOARD

703A (1) As provided in Section 281 (a) of the Town Law, if the owner makes written application himself pursuant to the provisions of this Article, the Article may be followed at the discretion of the Planning Board if, in said Board's judgment, its application would benefit the Town.

703A (2) This Article is only to be employed by the Planning Board upon the specific finding in writing by the Planning Board that the proposed open space zone of the applicant will not be detrimental to the surrounding area and will be in the best interests of the community and not contrary to the provisions of the comprehensive plan of the Town of Riverhead when adopted by the Planning Board.

703A (3) If an applicant wishes to subdivide property under the provisions of this Article, he shall so indicate to the Planning Board in writing.

RESOLUTION - continued:

703A (4) The applicant shall follow the Rules and Regulations of the Planning Board of the Town of Riverhead.

703B INDIVIDUAL DETACHED DWELLING UNITS

703B (1) The Planning Board may allow, as provided in Section 281b of the Town Law, a permitted number of individual detached dwelling units which shall in no case exceed the number which could be permitted, in the Planning Board's judgment, if the land were subdivided into lots conforming to the minimum lot size and density requirements of the Zoning Ordinance applicable to the district or districts in which such land is situated and conforming to all other applicable requirements. In computing the maximum number of dwelling units, the Planning Board may reduce the gross parcel area by a maximum of twenty percent (20%) that normally would be used for roads and drainage. It shall not require the open space normally required in other subdivision applications, pursuant to Section 277 of the Town Law. The remaining area of the property may then be divided by the number of square feet required for the minimum lot size under the Zoning Ordinance, which division will result in the number of dwelling units permitted.

703B (2) In its review of the plan, the Planning Board shall determine the arrangement of the dwelling structures upon the site as well as their height, length, spacing, open spaces and landscaping, off-street open and enclosed parking spaces, and streets, driveways and all other physical features as shown on said plan or otherwise described.

703C ATTACHED UNITS

703C (1) The Planning Board may allow a permitted number of apartments which are defined as structures for seasonal or year round use, containing separate family dwelling units, including multiple family dwelling, cooperative apartments, townhouses, garden apartments, and condominium apartments, none of which shall include any commercial use as an adjunct. Each unit shall provide cooking and bathroom facilities and a separate entrance to the exterior of the structure or to a public hall and each unit shall provide in the average a minimum of 1000 square feet of livable floor area exclusive of porches, patios, garages, breezeways, terraces and other attached accessory structures. No building permit shall be issued unless a site plan showing the location of buildings, structures, driveways, parking areas, landscaping, fencing, drainage facilities and pavement specifications has been approved by the Town of Riverhead Planning Board, nor unless the method of sewage disposal and water supply has been approved by the Suffolk County Department of Health.

703C (2) If the applicant requests that the dwelling units be in the form of an apartment, as defined in Section 703C (1) above, the

RESOLUTION - continued:

Planning Board on the granting of tentative approval must immediately refer the application to the Town Board. The Town Board, if it deems it to be in the best public interest, may hold a public hearing on ten (10) days notice. A public hearing must be held by the Town Board prior to approval of such application. No further action is to be taken beyond tentative approval by the Planning Board until it is in receipt of copy of the Town Board resolution of approval. Tentative approval by the Planning Board is not to be construed as Town Board approval, and approval by the Town Board is not to be construed as final approval by the Planning Board.

703C (3) The Planning Board must make the same computation as provided in Section 703C (2) above to determine the maximum number of apartment dwelling units to be allowed.

703C (4) Prior to the Planning Board's public hearing as provided in the Rules and Regulations of the Planning Board and Section 276 and Section 277 of the Town Law, a copy of the final submission shall be delivered to the Town Board by the Planning Board at least 10 days before said hearing.

703D OPEN SPACE

703D (1) The application of this procedure shall result in a plat showing lands available for a park, recreation, open space, or municipal purposes directly related to the plat. The Planning Board as a condition of plat approval may establish such conditions on the ownership, use and maintenance of such lands, as it deems necessary to assure the preservation of such lands for their intended purposes. The open space created by the use of the provisions of this Article must be clearly labeled on the subdivision map as to its use and the rights of the owners in the subdivisions as well as whether it is to be dedicated ultimately to the Town or other governmental body, or to an approved private or conservation corporation or to a property owners' association or otherwise under conditions meeting with Planning Board Approval. The details as to use and ownership of such open space are further to be set out in a declaration recorded by the owner or other appropriate instrument. Such open space is to be preserved in perpetuity and the Planning Board may require an open space easement running to the Town as a condition of approval.

703D (2) If said lands are to be offered for dedication to the Town, the Town Board may require that such conditions shall be approved by the Town Board before said plan shall be approved for filing. All or portions of open space may be dedicated to the Town or some other municipal corporation.

RESOLUTION - continued:

703D (3) If the open space is not to be dedicated to the Town, or other governmental authority, or to an approved private or conservation corporation, the applicant must either simultaneously with the filing of the map create a property owners' association or neighborhood corporation embracing all property owners within the map and providing for adequate annual contributions for maintenance of said open space or otherwise satisfy the Planning Board with regard to the maintenance of said open space.

703D (4) The following must be adhered to if a property owners' association is created:

a) The property owners' association must be set up before the lots are sold.

b) Membership must be mandatory for each lot buyer and any successive buyer.

c) The open space restrictions must be perpetuity, not just for a given period of years.

d) The association must be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities.

e) Property owners must pay their pro rata share of the cost and the assessment levied by the association can become a lien on the property.

f) The association must be able to adjust the assessment to meet changed needs.

SECTION 704704A USES FOR OPEN SPACE WHICH MAY BE APPROVED BY THE PLANNING BOARD

704A (1) The Planning Board may approve uses for open space, and these uses will be clearly indicated on the final map.

704A (2) The Planning Board may approve recreational uses such as playgrounds, golf courses, tennis courts, swimming pools, beach areas, etc.

704A (3) The Planning Board may approve conservational uses such as open woodland, wetlands or dune areas.

SECTION 705705A COVERAGE AND SET BACK REQUIREMENTS

705A (1) If individual detached dwelling units are used, height, frontage, area, yard and coverage requirements, including front, side and rear yard setbacks as follows, are to be met:

- A) In Residence District A - the same requirements as exist in the Residence District A at the time final approval of the subdivision application is granted by the Planning Board.

RESOLUTION - continued:

- B) In Agriculture A District - the same requirements as exist in the Agriculture A District at the time final approval of the subdivision application is granted by the Planning Board.

705A (2) If "attached units" as defined in Section 703C of this Article are used, the minimum front, side and rear yards for all buildings, structures, playgrounds, parking areas, etc. shall be 100' from the property line of the entire parcel subdivided under this Ordinance. Minimum side and rear yards for driveways or access roads shall be 100' from the property line of the entire parcel subdivided under this Article. Height shall not exceed two stories and shall not exceed 35'. Coverage as defined in the Zoning Ordinance is not to exceed 15%. Parking requirements shall be two parking spaces per each family dwelling unit.

SECTION 706706A SCREENING AND LANDSCAPING

706A (1) In addition to any screening and landscaping contained in the Rules and Regulations of the Planning Board may require additional screening and planting in order to lessen the impact of the open space zone on adjacent properties than those set forth in existing Rules and Regulations.

SECTION 707FILING OF SUBDIVISION MAP

In addition to the other Planning Board requirements for final maps, upon final approval of a change of zone by the Town Board and final approval of the subdivision application by the Planning Board, applicant shall file the subdivision map in the Office of the County Clerk which map shall contain thereon (a) a statement that the subdivision has been approved pursuant to the provisions of this Article, (b) the number and type of units which can be erected thereon, (c) the areas in which said units may be constructed and (d) the areas which are to remain open space and under what conditions.

SECTION 708VALIDITY

Should any section or provision of this Article be decided by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Article as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION 709EFFECTIVE DATE OF AMENDMENT

This amendment shall become effective ten (10) days after publication thereof.

12/18/73

490.

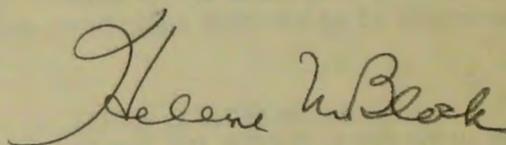
RESOLUTION - continued:

BE IT FURTHER RESOLVED, That the Town Clerk be and she hereby is authorized and directed to record the granting of said Amendment of Riverhead Town Ordinance No. 26, known as the Zoning Ordinance, Town of Riverhead, Suffolk, New York of ARTICLE VII, Cluster Development, in the minutes of the Town Board, and to publish a copy in the News-Review and post a copy of said Amendment on the sign board maintained by the Town Clerk, all pursuant to the New York Town Law, Section 265.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, No, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 9:05 P.M., to meet on Wednesday, January 2, 1974, at 10:30 A.M.



Helene M. Block, Town Clerk

HMB:mhj