

Minutes of the Town of Riverhead Board meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Wednesday, February 17, 2016 at 7:00 p.m.

**PRESENT**

Sean Walter	Supervisor
John Dunleavy	Councilman
James Wooten	Councilman
Jodi Giglio	Councilwoman
Timothy Hubbard	Councilman

**ALSO PRESENT:**

Diane Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was officially opened at 7:00 p.m. by Supervisor Walter with the Pledge of Allegiance followed by an Invocation by Reverend Jerry Hill from Timothy Hill Children's Ranch, Riverhead.

In honor of African American History month Harriet Haas recited excerpts from Dr. Martin Luther Kings "I have a dream" speech.

Councilman Dunleavy made a motion which was seconded by Councilman Wooten that the Town Board Minutes of January 14, 2016 and February 2, 2016 be approved. Motion carried.

**REPORTS**

- Tax Receiver – Total Tax Collection to Date as of February 2, 2016 - \$76,141,823.96
- Tax Receiver – Total Tax Collection to Date as of February 9, 2016 - \$77,078,791.41
- Tax Receiver – Total Tax Collection to Date as of February 16, 2016 - \$77,296,534.78
- Tax Receiver = Utility Collection Report January 2016 - \$345,569.20
- Police Department Monthly Reports – November 2015, December 2015, January 2016

**CORRESPONDENCE**

- Jean Mostaccio - letter expressing concerns as to development along Route 25A, Wading River
- Matt Pendleton – letter expressing concerns as to the proposed assisted living community Concordia

**COMMENTS ON RESOLUTIONS**

Comments on resolutions were made by Valerie Hubbard, Elaine McDuffy, Robert Skinner and Scott Greenspan.

## **RESOLUTIONS**

### **Resolution #90**

Councilman Hubbard: “Authorizes the Supervisor to Execute Professional Services Agreement with East End Accounting Services Corp., so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #91**

Councilwoman Giglio: “Authorizes the Filing of an Application for New York State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Contract under the Appropriate Laws of New York State, so moved.”

Councilman Wooten: “Second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #92**

Councilman Wooten: “Ratifies Change Order No. 1 Reduction in Contract Scope of Work and Contract Amount for 162 Foundation Path, Baiting Hollow Demolition and Reconstruction Project, so moved.”

Councilman Dunleavy: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #93**

Councilman Dunleavy: Authorizes Publication of a Help Wanted Advertisement Regarding Attendance at Suffolk County Police Academy, so moved.”

Councilman Hubbard: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

#### **Resolution #94**

Councilman Hubbard: “Amends Resolution #63 (Authorizes the Supervisor to Adopt the 2015 Suffolk County Multi-Jurisdictional Debris Management Plan Prepared in Conjunction with a FY 2013 UASI Grant and Approved by FEMA on December 14, 2015), so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

#### **Resolution #95**

Councilwoman Giglio: “Accepts the Retirement of an Assistant Recreation Leader (Kenneth Drumm), so moved.”

Council Wooten: “Second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

#### **Resolution #96**

Councilman Wooten: “Accepts the Retirement of an Account Clerk Typist (Janice McGoey), so moved.”

Councilman Dunleavy: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #97**

Councilman Dunleavy: “Promotes an Automotive Mechanic III (Michael Curtis), so moved.”

Councilman Hubbard: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #98**

Councilman Hubbard: “Ratifies the Appointment of a Full-time Temporary Bus Driver to the Seniors Center (Laurie McKillop), so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #99**

Councilwoman Giglio: “Accepts the Retirement of a Maintenance Mechanic II (Henryk Niedzwiecki), so moved.”

Councilman Wooten: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #100**

Councilman Wooten: “Adopts Negative Declaration and Approves the Chapter 90 Application of Nile Rodgers Productions, Inc. as a Type I Action and Refers the Application to Involved Agencies (“Freak Out!” Music & Art Festival - August 12, 13, 14, 2016, so moved.”

Councilman Dunleavy: “Seconded”

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted."

### **Resolution #101**

Councilman Dunleavy: "Ratifies Extension Bid Contract for Dowflake Xtra Calcium Chloride, so moved."

Councilman Hubbard: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted."

### **Resolution #102**

Councilman Hubbard: "Awards Bid for Work Clothes, so moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy yes; Walter, yes. Resolution adopted."

### **Resolution #103**

Councilwoman Giglio: "Awards Bid for Qualified Municipal Advisor, so moved."

Council Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted."

### **Resolution #104**

Councilman Wooten: "Authorizes Supervisor to Execute Agreement with Riverhead Youth Sports, Inc. for Referee/Umpire Services for Town of Riverhead Police Athletic League Girls and Boys Lacrosse Program for 2016 Calendar Year, so moved."

Councilman Dunleavy: "Seconded."

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #105**

Councilman Dunleavy: “Ratifies Reappointment of Members to the Town of Riverhead Ethics Board (Donna Barnard, Irene Pendzick), so moved.”

Councilman Hubbard: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #106**

Councilman Hubbard: “Ratifies the Reappointment of Members to the Riverhead Farmland Preservation Committee (Jeff Rottkamp), so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #107**

Councilwoman Giglio: “Ratifies the Reappointment of Member to the Riverhead Farmland Preservation Committee (Kareem Massoud), so moved.”

Councilman Wooten: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #108**

Councilman Wooten: “Ratifies the Reappointment of Member to the Riverhead Farmland Preservation Committee (Richard O’Dea), so moved.”

Councilman Dunleavy: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #109**

Councilman Dunleavy: “Ratifies Reappointment of Member to the Riverhead Open Space-Park Preserve Committee (Marjorie Acevedo), so moved.”

Councilman Hubbard: “Second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes, Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #110**

Councilman Hubbard: “Authorizes the Town Clerk to Publish and Post a Public Notice to Consider a Local Law to Abolish Board of Police Commissioners and Deleting Chapter 32 Entitled “Board of Police Commissioners” of the Riverhead Town Code, so moved”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #111**

Councilwoman Giglio: “Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Enact Chapter 33 of the Riverhead Town Code Entitled “Term Limits”, so moved.”

Councilman Wooten: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, abstain; Walter, yes. Resolution adopted.”

**Resolution #112**

Councilman Wooten: “Authorizes Town Clerk to Publish and Post Public Notice to Consider the Adoption of a Local Law Entitled, “Local Law to Change the Term of Office of Town Supervisor from Two (2) Years to Four (4) Years, so moved.”

Councilman Dunleavy: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes, Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

**Resolution #113**

Council Dunleavy: “Authorizes the Town Clerk to Publish and Post Public Notice Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 Entitled “Vehicles & Traffic” of the Riverhead Town Code (101-3. Stop and Yield Intersections, Railroad Crossings, Parking Fields. (Burman Blvd. Intersecting with Grumman Blvd., Calverton), so moved.”

Councilman Hubbard: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. “Resolution adopted.”

**Resolution #114**

Councilman Hubbard: “Authorizes Town Clerk to Publish and Post a Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 Entitled, “Vehicles & Traffic” of the Riverhead Town Code (101-10. Parking Prohibited – Sound Avenue and CR 105), so moved.”

Councilwoman Giglio: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

**Resolution #115**

Councilwoman Giglio: “I make a motion we table Resolution #105, so moved.”

Councilman Wooten: "I'll second to table."

Supervisor Walter: "Moved and seconded as to table. Vote please."

The Vote: "Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 89 is tabled."

### **Resolution #116**

Councilman Wooten: "Adopts a Local Law Amending Chapter 108 Entitled "Zoning" of the Riverhead Town Code (Rural Corridor (RLC) Zoning Use District), so moved."

Councilman Dunleavy: "Seconded"

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted."

### **Resolution #117**

Councilman Dunleavy: "Adopts a Local Law Amending Chapter 108 Entitled "Zoning" of the Riverhead Town Code (Hamlet Center HC Zoning Use District), so moved."

Councilman Hubbard: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Hubbard, yes, Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted."

### **Resolution #118**

Councilman Hubbard: "Adopts a Local Law Amending Chapter 108 Entitled "Zoning" of the Riverhead Town Code (Village Center (VC) Zoning Use District), so moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy yes; Walter, yes. Resolution adopted."

### **Resolution #119**

Councilwoman Giglio: “Adopts a Local Law to Amend Chapter 86 Entitled, “Rental Dwelling Units” of the Code of the Town of Riverhead, so moved.”

Councilman Wooten: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #120**

Councilman Wooten: “Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled “Zoning” of the Riverhead Town Code (Community Benefit Zoning Use District (CBD)), so moved.”

Councilman Dunleavy: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #121**

Councilman Dunleavy: “Approves the Chapter 90 Application of Crossfit Impervious LLC (Crossfit Athletic Competition – Saturday, May 21, 2016), so moved.”

Councilman Hubbard: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #122**

Councilman Hubbard: “Ratifies the Amendment of Resolution #38 of 2016 (Authorizes Attendance at the 2016 Training School and Annual Meeting Held by the Association of Towns), so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #123**

Councilwoman Giglio: “Awards Bid for Sensus Water Meters and Accessory Equipment for use in the Riverhead Water District, so moved.”

Councilman Wooten: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #124**

Councilman Wooten: “Ratifies the Supervisor to Execute Stipulation of Settlement Agreement with Civil Service Employees Association, Inc. Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local, #852, so moved.”

Councilman Dunleavy: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #125**

Councilman Dunleavy: “Appoints the Law Firm of Smith, Finkelstein, Isler and Yakaboski, LLP to Act as Special Counsel in the Matter of Traditional Links, LLC v. Riverhead Town Assessors and Authorizes the Supervisor to Execute a Retainer Agreement, so moved.”

Councilman Hubbard: “Second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #126**

Councilman Hubbard: “Appoints Anti-Bias Task Force Members and Officers, so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #127**

Councilwoman Giglio: “Pays Bills, so moved.”

Councilman Wooten: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, abstain; Walter, yes. Resolution adopted.”

### **Resolution #128**

Councilman Dunleavy: “Authorizes Town Clerk to Publish and Post Public Notice to Consider A Local Law to Enact Chapter 33 of the Riverhead Town Code Entitled “Term Limits”, so moved.”

Councilwoman Giglio: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, abstain; Walter, yes. Resolution adopted.”

## **PUBLIC HEARING**

Supervisor Walter: “This public hearing was scheduled for 7:05 and it is now eight o’clock. We’re going to open the public hearing on the Consideration of a Change of Zone Petition from Genrac Associates, LLC (D/B/A the Concordia Senior Community at Riverhead) to Alter the Zoning of a 25.215 Acre Parcel to the Residence RC Zoning District (SCTM #600-101-2-4.1) to the exclusion of the existing Agricultural Protection Zone having the purpose of constructing an age in place independent assisted living community, continuing care community of a hundred and twenty-three hundred square feet an aggregate building area with a total of forty-eight independent and a hundred-fourteen assisted living unites on real property located on the east side of Mill Road approximately fifteen hundred feet north of Old Country Road, County Road 58 and south of Middle Road approximately seven hundred feet east of Mill Road identified as SCTM #0600-101-2-4.1 and I believe we have the applicant here. Mr. DeVito, you’re going to present the application?”

Ronald DeVito: “I will. Good evening Mr. Supervisor, Councilwoman Giglio and the Councilmen. My name is Ronald DeVito. I am the managing member of Genrac and Genrac Associates, LLC conducts its business under the trade name of Concordia Senior Communities so at times tonight in my introduction which I’m trying to make brief I will be referring to the applicant, the petitioner for this application as Concordia.

Thirteen years ago the Comprehensive Plan for the Town of Riverhead was adopted by this Town Board. In that Comprehensive Plan there was some distinct and very prominent language and instructions and recommendations about senior citizens and about the services that the Comprehensive Plan was recommending be adopted for the senior population in the Town of Riverhead. I’d like to take just a minute or two to read some of the excerpts of that report and Comprehensive Plan.

At page 8-4 the Comprehensive Plan says that in the future and this was in 2003 when the Comprehensive Plan was adopted, in the future as the baby boom generation enters retirement; and the baby boom generation for those who may not be familiar with it is part of what happened between 1945 to 1965 where during that period there was a record number of births and so there is a baby boom generation that is referred to frequently when we talk about seniors and at how large the group is because of the unusual amount of births during that period after the war and the baby boom generation is by the way we do a lot of demographic research about what seniors need and the demographics that help us plan the facilities for their services. So this goes on in the future as the baby boom generation enters retirement. The number of Riverhead residents in the thirty-five to fifty-four age range may drop with a corresponding increase in the number of retired senior citizens. However, as baby boomers age they may move out of town in large numbers, meaning the Town of Riverhead, they may move out of town in large numbers if they are unable to find age appropriate housing and they may be replaced by the younger demographic groups. That was page 8-4. At page 12-31 of a section pertaining strictly to senior citizens the Comprehensive Plan states Riverhead has no congregate care or assisted living facility. This is a significant gap in services for seniors who require immediate level care that is between independent living and a nursing home would have to leave Riverhead if those services were not provided.

In 2012 the Town Board adopted a very comprehensive amendment to its Retirement Community Code called the RC District Code and in that amendment the idea of affordability was first discussed. The idea of affordability had not been present in the Town of Riverhead’s code until this particular part of the Comprehensive Plan was discussed and the Town adopted the amendment to the RC District, the Retirement District in June 2012.

What that means is the new Code provision established for the first time a means by which density bonuses would be available for affordable senior housing and care and what that issue of affordability was part of all of New York State’s zoning laws and we’re playing a very important part because of a treatise that Pace University did and I refer to the citation of the Pace University treatise on land use and one of the most prominent parts of that treatise was the fact that affordable senior housing and care deserved a density bonus. So the Town’s new amendment to the Retirement Community District adopted that idea and notion by allowing development of senior care provided that it’s affordable without the need of TDR, transfer development rights sometimes called preservation credits.

So the Comprehensive Plan is extremely important as you probably all know because Section 263 of the Town law teaches us that when a town has a Comprehensive Plan it is obligated to carry out the terms and conditions of that comprehensive plan and to adopt and use the recommendations made by that comprehensive plan so that. The point is the Comprehensive Plan

started the idea and notion of the serious need of an assisted living facility and for independent living facility that are maintained in a congregate setting.

There's a distinction between what all of us know as Golden Age Housing. That is for fifty-five year old seniors and older and that provides housing but without any services. What Concordia does and what its independent living units and the assisted living units do is to adopt the services so that the housing is coupled with a variety of services and amenities. And the same is true for the assisted living that Concordia does; it adopts this idea of affordability and so forth.

So where we stand now with the code that was adopted in 2012 is that the development of affordable senior housing and care enjoys a density bonus in the form of exemption from TDR. So the Comprehensive Plan is a large part of what Concordia does and why it believes that these services are so important.

After the adoption of the amendment to the new code Genrac filed its' application, it's petition for an application for this change of zone application and following that the Town Board referred the matter to the Planning Board and the Planning Board conducted with Concordia not one or two but three sessions to discuss the project and after thoroughly reviewing the project they came out with a resolution with their recommendations for the Town Board. All of those recommendations were about objections that the Planning Board had to portions of Concordia's development plan and they had a series of recommendations that they wanted Concordia to adopt and so that was returned to the Town Board and a series of discussions thereafter occurred with Concordia and the Town's Planning Department to better understand what the Planning Board meant to do and to get some assistance on making amendments to its application. So what you have before you today is a comprehensive set of amendments and modifications to the original application and I can assure you that those amendments and modifications have satisfactorily addressed the objections that the Planning Board had and in addition to that is has adopted all of the recommendations that the Planning Board made.

So that amendment is part of a memorandum that I have submitted as part of this record and it explains in detail all of the objections the Planning Board had and all of the ways that Concordia adopted all of its recommendations and satisfied the Planning Board's objections.

Let me just take a minute to describe some of those amendments."

Supervisor Walter: "Before you do that, you understand that this application, once we finish SEQRA on it, has to go back to the Planning Board for a full review and a public hearing and go through the process because since you did this two of the Planning Board members are new, they weren't here, there's a new Chairman so assuming we approve this and you get through SEQRA you're in a one year process just to get through the Planning Board. Unfortunately that's break neck speed because there's going to be a public hearing by the Planning Board and they'll go through their process as they did in 2012. You do understand that?"

Ronald DeVito: "No I don't, I don't understand why we have to repeat the process that's already been done."

Supervisor Walter: "Mr. DeVito, because there's two new Planning Board members and they aren't going to vote on something they didn't have input on and we since 2012 adopted a requirement that all Site Plans go through public hearings. So those two changes will require you to go through a site plan process, public hearings and a resubmission to the Planning Board. I just want to make sure that's absolutely the facts."

Ronald DeVito: “If I may Mr. Supervisor ask a question?”

Supervisor Walter: “Yes, Sir.”

Ronald DeVito: “Is that different than the Site Plan review after a vote by this Board?”

Supervisor Walter: “That is the Site Plan review after the vote by this Board.”

Ronald DeVito: “And will the Board be taking a vote on this application?”

Supervisor Walter: “When SEQRA’s done, possibly yes.”

Ronald DeVito: “Well we have, the Planning Board did examine at the Town Board’s request environmental questions and whether or not the project would have an impact on the environment and we.”

Supervisor Walter: “We were the lead agency on this and we would be making the determination and those two gentlemen, I do apologize I forgot, those two gentlemen from the Planning Department will make a brief presentation on what you submitted a couple presentation on what you submitted a couple of days ago when your team of experts are done and then we’ll let the public speak.”

Ronald DeVito: “Ok. We have tonight my civil engineer and two people from my civil engineer that will speak on SEQRA. They have made, we already did a full environmental assessment in the past. They’re prepared tonight to discuss a more expanded EAF, Environment Assessment Form and why that there isn’t any positive impact that’s adverse to the environment.

Since the Planning Board has already discussed the environmental issues am I to understand that you want to do that again?”

Supervisor Walter: “You should understand that we would be the lead agency, they work for us in this particular situation, we being the lead agency. You were referred to the Planning Board, you were referred to other agencies but you have to satisfy the lead agency.”

Ronald DeVito: “Does that mean the report that they’ve already done as the result of the reference of the Town Board is no longer effective?”

Supervisor Walter: “No, that’s part of the process.”

Ronald DeVito: “Alright, I’ll let. I have some questions.”

Supervisor Walter: “Let them present then.”

Councilman Dunleavy: “I just have one question. You mentioned fifty-five and over. I thought we were discussing sixty-two and older.”

Ronald DeVito: “I only did the fifty-five and older to show what’s been done in the past. The residents at the Concordia facility will be sixty-five years of age and older.”

Councilman Dunleavy: “Thank you.”

Supervisor Walter: “Continue on Sir.”

Ronald DeVito: “Thank you Sir. What one of the things I think the Board should consider is the need for the kind of facilities that Concordia is proposing. There is in a memorandum an extensive description of Concordia’s development plan. It describes the kind of units that we will do combining independent living seniors in a congregate setting and I’ll explain why that’s different than only senior housing.

Enriched housing program which is for people with only a moderate amount of need of help; more very active and almost as active as the independent living seniors but perhaps needing just a little bit of help with things like grooming and things like that. We also are going to have and by the way the independent living units I reduced at the request of the Planning Board from one hundred to forty-eight because they had asked me to do a more balanced, proportionate balance between the independent living and the assisted living. So now we have a density reduction of one hundred and eighty-nine down to one sixty-two units and we have a different proportion of independent living units and assisted living. The independent living units were reduced from a hundred to forty-eight and the assisted living facility was increased from eighty-nine to a hundred and fourteen and that satisfied the Planning Board’s comments in that regard.

So in addition to the assisted living form by enriched housing we also do a type of service that’s licensed by the State of New York called enhanced assisted living residency and what that’s for was for people with chronic illnesses and diseases with impaired ability to ambulate; for people who may even need skilled nursing services. Now the State Department of Health has allowed us to perform skilled nursing services in an assisted living facility but not to the extent that’s required in a nursing home but that hasn’t expanded what we can do for people with chronic illnesses.

The fourth section of this project is for what’s called special needs assisted living residency and that’s for people who are cognitively impaired, who suffer from a disease such as Alzheimer’s, Parkinson’s including people who have suffered from a stroke or even head trauma from an accident or so forth. So we are sponsored by the Alzheimer’s Association in the State of New York. We go through rigorous reviews to make sure that our programs for the care of cognitively impaired are properly designed to help them the best way possible. So that’s the makeup of the Concordia project.

So the questions, I think, that the Board should address is the need for these kinds of facilities. I think that the Comprehensive Plan in mentioning that they expect substantial grown via the baby boomers is right on because in the Town of Riverhead the population of seniors has risen significantly.

Back in 2010, the 2010 census reported that there were about sixty-four hundred seniors sixty-five years of age and older in the Town of Riverhead. Today by the 2015 statistics and demographic reports there were seven thousand six hundred and two. They expect that senior population to grow to eighty-eight hundred by 2020, just four years from now. So, the Town of Riverhead is going to experience, is experiencing and continue to experience rapid, large growth in their senior population and the Town of Riverhead has no assisted living facility within its boundaries so that the Comprehensive Plan was absolutely correct in saying that there is a significant gap in services that has to be and recommended that that be addressed. I think the town has addressed that with the amendments to the RC District Code.

The need, I think, is also obvious from what we see happening in the country and Riverhead is experiencing the same kind of growth that seniors experience on a national level. The size and the growth of the senior population is nothing short of remarkable. It is the fastest growing segment of our population. They're expected to increase twice the amount if seniors in need of these services by 2030. The number will be doubled what the number of seniors were just in 2010 censuses. So Riverhead is going to experience the same growth and need for these kinds of services.

The other point I'd like to make before I ask some of my colleagues to tell you more about the project is the question about whether or not this site is appropriate for this kind of project. In my opinion and it is my opinion, is that the Comprehensive Plan treated the need for these services to be as important as the need for the preservation of farmland and I think personally that I don't see why both of these needs based on the recommendations of your own Comprehensive Plan can't be balanced and provided.

We have a site now that's zoned as APZ, Agricultural Protected and the question is whether or not this problem with an absence of these kinds of services for seniors that has existed for thirteen years is important enough to talk about changing the zone here from an APZ to the RC District. I don't see why it can't be done. To me this particular parcel hasn't been farmed and it's been said to me that people would really love to see that site farmed and I understand why and I appreciate that the needs for Riverhead's economy to include a robust program of increasing farmland but we have one single piece of property that's behind the Home Depot and surrounded by residential dwelling; the (inaudible) on the eastern side together with the horse farm, Catherine Wilcox's horse farm, residential properties along Middle Road for that portion of the property and also residential property the Foxwoods development across the street on Mill Road from this property.

So this is a piece of property isolated between box retail, Route 58 and resident dwelling. It's a perfect transition use to go from all those uses into a somewhat commercialized, residential project. We call that a perfect transitional use. So the question is and I understand the importance of all of the, and the code, your code very appropriately makes the preservation of farmland a very important issue. I would like to see the blight of these eight thousand seniors become just as important an issue so that when we judge whether or not this site should be transferred and changed into a zone for these seniors and the services that these seniors need I think it should be judged in that context. So the question really is will this, and people say to me well even though this hasn't been farmed for years, we would like to see it continue and even though you can't use this and you shouldn't use this there are other areas that can accommodate the use that I'm proposing here.

Well, I've been doing this now for years and working with the town on this project and discussing this with the Planning Department and listening to all of their advice and I've been told that it's very hard to find a piece of property that meets all of the criteria that's required for these projects that are in a RC District or in an APZ district. So from what I can see I have really a lot of trouble figuring out where these other projects can be because you've got a goal of, a requirement that these projects be done on a property that is no less than fifteen acres.

So for example it's been suggested to me that maybe these could go downtown on Main Street but there's no area on Main Street that's fifteen acres. You can say well maybe we can change the zone, maybe we can give a variance but that fifteen acres is very important so that the projects I do, they have to be spread out because the people in enhanced assisted living that can't ambulate and the people in the special needs, congenitally impaired, they can't climb up and down stairs. People with cognitive impairments cannot understand how to evacuate in an emergency. The people in enhanced assisted living cannot ascend or descend stairs, they're physically unable

to do that so I have to have and this project calls for only one story buildings for enhanced assisted living and the memory care buildings. So I don't know where you can do that with less than fifteen acres so the suggestion that maybe there could be a variance for the fifteen acres doesn't work at least for this project and I don't think it would work for any assisted living project.

The other, a lot of people said to me well there's a lot of areas outside of this site and at different locations in the Town of Riverhead that can, that are more appropriate for this but I've yet to find any of those sites that are within fifteen hundred feet of sewer and water as is required by the new RC District.

So the question is if those sites, are they going to have a sewage treatment plant? Are they going to be able to do what's called a chromical glass system and deal with the sewage that way? I can tell you from my own personal experience that the Suffolk County Department of Health is not very favored, the chromical glass system is under some criticism and there's a lot of talk about requiring micro sewage treatment plants, very, very expensive; cannot be afforded by an affordable project so I don't see how this kind of project can be done other than this particular site. I've been told that there are two other sites that have been proposed but I'm now told they're no longer viable.

So the question now is if I can't locate any place else isn't this need for these seniors important enough to be judged in terms and in the same context as the need for preserving farmland and I think because this piece represents, I don't know the statistics, but my guess is that it represents just a small percentage of all of the AP Zones, right that this one single piece of property can't be changed to accommodate what is a very serious problem for seniors and I think that Comprehensive Plan is dead on when it says if you can't do that or if you don't want to do that these eight thousand seniors are going to have to move out of Riverhead and people will say oh well, what's the big deal. I can tell you I've taken care of seniors in five different projects that I've managed. The one thing that I've noticed is true with almost every one of the frail elderly is for them to contemplate a move out of the town in which they've lived their entire lives; in which they have friends close enough to them to know that they're not going to be isolated from the community. For them to make a move out of Riverhead and by the way I don't see any facility that would be available to them to the east. There's only Peconic Landing and I don't think that that could handle eight thousand seniors and then to the west I don't see anything available closer than William Floyd Parkway."

Supervisor Walter: "Ron, that's a little bit ingenuous and I say that because I know you know Southampton passed the zoning which the Pine Barrens Commission which I sit on is now allowing right over the traffic circle literally two miles from where we sit, five hundred units exactly what you're talking about."

Ronald DeVito: "Isn't that a plan Mr. Supervisor?"

Supervisor Walter: "No, no. It was adopted, the zoning was adopted December."

Ronald DeVito: "Yes, I know that."

Supervisor Walter: "So what you're looking to do and I know you know this because I put you in contact with these people so what you're looking to do can literally happen two miles from here. Not everything."

Ronald DeVito: “In a different town.”

Supervisor Walter: “Yes, right across the river, two miles from here.”

Ronald DeVito: “Right. So now is that the project in Riverside?”

Supervisor Walter: “That’s correct.”

Ronald DeVito: “My understanding of that is that’s going to need, before they can do anything, is a sewage treatment plant.”

Supervisor Walter: “Maybe, maybe not.”

Ronald DeVito: “Well, I don’t know how you can get passed New York State DEC without it so and in my opinion, maybe someone has a different opinion, but I’ve never seen a New York State DEC do a speed ease permit for a brand new sewage treatment plant in less than five years. This is an immediate problem for Riverhead. Southampton is not a solution.”

Supervisor Walter: “Are you finished?”

Ronald DeVito: “Yes I am.”

Supervisor Walter: “Can we get the rest of your experts moving?”

Ronald DeVito: “Yes.”

Supervisor Walter: “Thank you.”

Ronald DeVito: “I’d like to call on Cameron Engineering and Rebecca Goldberg. Rebecca is going to talk about the expanded environmental assessment form, the environmental aspects of this project and also a traffic study that’s included in the EAF because it’s considered part of the environmental issue. So I would like, Rebecca, with your permission Mr. Supervisor.”

Supervisor Walter: “Miss if you could just state your name and affiliation for the record that would be wonderful.”

Rebecca Goldberg: “Sure. Good evening Mr. Supervisor, Board members, ladies and gentlemen. My name is Rebecca Goldberg and I’m a licensed professional civil engineer with the firm Cameron Engineering and Associates. Our business address is 100 Sunnyside Blvd. in Woodbury.

As Ron explained I prepared the expanded environmental assessment for this proposed zone change and I’m going to hopefully briefly summarize what we did; first overall the Expanded Environmental Assessment which I’ll call and EEA. It includes a short form, EAF, Environmental Assessment Form, correspondence to the appropriate utility providers in the area, the emergency response personnel and Riverhead Central School District and also a full traffic impact study.

We first examined a few basic properties of this site and as Ron got into he talks about the land use, the site history and the purpose need benefits which I will not repeat and then we looked at over a dozen environmental characteristics for the proposed senior community as Ron described it and also for what we call the potential as of right usage of the property. At the APZ, the Agricultural Protection Zone allows two acre single family homes so the potential as of yield on the site is twelve single family homes. So for any of the dozen environmental characteristics we went through and did either a qualitative or quantitative comparison for the as of right compared to the proposed Concordia community.

I'm just going to touch on a few of the characteristics that we examined. We looked at the topography; we looked at ground water, ability of the site to accommodate the storm water associated with development. We looked at agricultural land resources and esthetics, historic and archeological resources, open space and recreation, energy use, impacts to public health and most importantly I think too many people in here is transportation. So that's really what I will focus on in my direct presentation now.

So for our traffic impact study we looked at the two closest main intersections to this site. I'm sure everybody knows the orientation; it's on the southeast corner of Mill Road and Middle Road. We looked at the intersection of Mill Road and Middle Road and the intersection of Mill Road and the traffic signal for the Riverhead Center, shopping center and for future conditions we also looked at four site driveways, one on Middle Road and three on Mill.

We did traffic counts and during the, what we call the morning rush hours, the p.m. rush hours so we did counts from seven to ten in the morning and four to six p.m. We took the busiest hour and we then used accepted New York State Department of Transportation monthly adjustment factors to take what we've counted and then project it to a June condition. Standard engineering practice especially in areas such as Riverhead is to look at June as the busiest, typical month and when we say typical we mean the months of the year when school is in session."

Supervisor Walter: "You understand that is absolutely not the month you would use in Riverhead. I'm just letting you know if you're going to use a typical month September, October would be a typical month. The graphic in this town explodes in September, October so I will be looking for that information at some point."

Rebecca Goldberg: "Ok, understood. According to the State DOT June is slightly busier than September, October."

Supervisor Walter: "That would be good for someplace else."

Rebecca Goldberg: "Ok, ok. So then just to confirm that at least our projections were accurate we compared our projected counts to June to published twenty-four hour counts that the New York State DOT has on their website and except for one movement on Mill Road which we increased again by about ten percent everything was pretty much in line.

So we took those counts and we put this into traffic engineering software and we come up with what's called a level of service and it says based on the volumes and either the traffic signal at the shopping center or at the always stop control on Mill and Middle people making certain maneuvers are going to be delayed a certain number of seconds on average.

We then looked at two project conditions five years out based on the amount of time for permitting and construction and to occupy this facility it will not all be completely occupied on

day one so we did annual adjustments, increased our counts by almost ten percent and we accounted for a number of other planned projects going on in the area all along Old Country Road. Again we took those volumes, put them into the software came up with what's called no build condition.

We then did what's called a built condition and looked at traffic conditions with this site in place fully occupied. So, most of the trips calculations that we did are based on the Institute of Transportation and Engineers Trip Generation Manual and then because this particular community will be a much more enhanced level of amenities than typical assisted living, typical independent living we added extra trips to account for the additional staff members and additional buses and vans associated with transporting residents to properly reflect the trips into and out of this property."

Supervisor Walter: "So I'm going to ask you a question. I heard and I guess I'm going need you to confirm this, last week that they'll be at full buildout about a hundred and fifty employees at this facility."

Rebecca Goldberg: "The full time equivalence is a hundred and forty-five. The number of actual employees I believe is, no I'm sorry, full time equivalence is a hundred and twelve point nine; a hundred forty-five fulltime, actual employees."

Supervisor Walter: "So what would the traffic generation from twelve houses be as compared to, see I'm trying, in order for you to do a long form environmental assessment, which I don't even think you did a long form environmental assessment, you have to show that there are no adverse environmental impacts so. You can sit for a moment, I don't mean for you to stand.

But in order, my understanding, I guess I have a basic understanding of this, is in order to do a long form environmental assessment you have to show that there are no adverse environmental impacts or that they are mitigated in some fashion so my question and you didn't say you were a traffic engineer."

Rebecca Goldberg: "Yes, I am Sir."

Supervisor Walter: "Ok, so my question is how does one show there's no adverse environmental impacts when you have twelve houses verses a hundred twelve, a hundred forty-five employees in terms of traffic? Can you address that?"

Rebecca Goldberg: "Sure. Well first not every employee works the same shifts. Many people will work overnight, some people are part-time and then based on the again the Institute of Transportation Engineers IT manual plus an additional approximately thirty-five to forty trips either coming in or out depending on the time of day we come up with a certain number and that number is approximately sixty cars an hour in or out of the whole site divided amongst the four driveways. So just because there may be a numerical difference in the number of trips coming in and out that does not in itself point to a traffic impact."

Supervisor Walter: "You're right, you're right."

Rebecca Goldberg: “Yes. When we do a traffic analysis and we compare first the no build to the build if there’s no genuine impact between the senior community and conditions in five years without the senior community the delay change may be less with only twelve single family homes but neither potential future condition has what they call an adverse environmental impact.”

Supervisor Walter: “So and I would take issue with that; you would say that sixty trip generations per hour, is that what you say?”

Rebecca Goldberg: “I’ll get the actual numbers for you in just one moment.”

Supervisor Walter: “Is no adverse environmental impact statement as compared to the trip generated from ten, twelve houses. That’s what you’re saying.”

Rebecca Goldberg: “Because according to the software if you’re going in these intersections on Mill Road and your delay will increase by three or four or five seconds on average that’s not a significant impact. That’s not even enough to trigger what we call a level of service change. So for what we call the as of right use maybe that five second delay change is one second instead. The difference between one second and five seconds is not enough to trigger what we call an (inaudible) impact. So as I like to explain if it takes you about a minute to go from Middle Road down towards Riverhead Center today, if it takes you a minute and one second or a minute and five seconds in the future the difference is not significant, it’s minimal.”

Supervisor Walter: “I hear what you say but I don’t believe it for a minute. Continue on.”

Rebecca Goldberg: “So after we do our analysis we did the same for the as of right condition. So we took the trips that would be generated by the twelve single family homes. We didn’t analysis twelve individual driveways as there would be under the as of right we left it just the Middle Road at Mill Road and the Mill Road at Riverhead Center intersections.”

Supervisor Walter: “How many trips are generated per hour for those ten to twelve houses?”

Rebecca Goldberg: “Sixteen to eighteen per hour total. So it would be nine to ten in either direction.”

Supervisor Walter: “How many car trips per hour going past that Mill Road, Middle Road intersection and what hour period in June?”

Rebecca Goldberg: “That are generated?”

Supervisor Walter: “Yeah, what is the Mill, Middle intersection; that’s the one you studied. How many cars are going through that intersection in a one hour period, in a typical one hour period in June?”

Rebecca Goldberg: “Ok, if we’re talking generated traffic, give me a moment it’s in my report and if you’re in the report it’s at the end in Section 4 in what’s called the Trip Distribution

and Assignments Tables. So for Mill Road and Middle Road it would be a total of and this is traffic in all directions twenty-two to twenty-three trips over an hour and this is by the proposed senior community.”

Supervisor Walter: “No, no, what is it now without the community per hour through that intersection?”

Rebecca Goldberg: “Ok, so I’m going to say what we seasonally adjusted to that intersection has up to eight, about eight hundred ninety cars over an hour in different directions.”

Supervisor Walter: “Ok, you answered my question.”

Rebecca Goldberg: “Ok, so again just to go back and summarize. We did this analysis according to every standard traffic engineering practice. We do the analysis with the traffic volumes and traffic flow. We look at the delay that’s reported. The differences in delay for the most part are less than one and two seconds per vehicle, often nothing. The biggest delay difference I believe it was for the westbound left from Middle Road going onto Mill Road and that’s a difference of about four or five seconds so the differences are very small. They do not trigger level of service changes and because of that the rest of the analysis in the expanded EA we find there is no significant adverse impacts with the proposed senior community as opposed to twelve single family homes so we would find that there is no reason to have a positive declaration.”

Supervisor Walter: “Thank you.”

Rebecca Goldberg: “Thank you very much.”

Ronald DeVito: “All I want to say is I want to introduce you to John Gursky who also is with Cameron Engineering. He is our Civil Engineer and he’s here tonight to talk to you about the site and the engineering aspects of the site and all of the zoning aspects that applicable to this project or any project on this site.”

Supervisor Walter: “Ok, thank you.”

John Gursky: “Good evening Mr. Supervisor, members of the Board. John Gursky, I’m an associate of Cameron Engineering Assoc. We’re located in Woodbury, NY.

This site that we’re all familiar with is a twenty-five acre site and Cameron Engineering was tasked with together with the architect on the project to put together a conceptual site plan. The conceptual site plan has two clusters of enhanced living homes; one on the north end of the site which has one single driveway to Middle Road and one on the southern end of the site which is an enhanced community of twenty units with a southernmost driveway on Mill Road. Two other driveways that are on Mill Road would serve the assisted living facility.

I’d like to go through some of the zoning data for this site. This conceptual site plan was designed to adhere to the RC Retirement Community District with the minimum lot area which is required of fifteen acres as Ron has said. This site has twenty-five point two acres to it. The minimum lot width for this site, the frontage on a site I the RC zone is one hundred and fifty feet. This site has seventeen hundred and two feet. A significant consideration on this site is the

maximum impervious surface that would be all roadways, buildings, anything that is impervious. You are, under the code, allowed to have seventy percent; this site has thirty-nine point two percent as the conceptual plan is laid out.

The front yard setback by code would be twenty-five feet minimum. That setback is to the buildings. This site proposes eighty-three feet for a front yard setback as a minimum. There are other front yard setbacks there are two roads and that is the minimum setback on either road. The side yards, abutting a side street would be a minimum of twenty-five feet. We have seventy-five point seven, eight feet.

Open space area, that's a significant section of the code. The code requires thirty percent of the total site area to be open space whether that is natural or landscaped. This application, this conceptual plan at present has sixty point seven-seven percent open space. Maintained landscape would be thirty-four percent and natural area would be twenty-six percent of the site.

How that is achieved is that the site has non-buildable areas by code. Those would be flagged wetlands which exist on the northern section of the site along the northern and western property line of about eight thousand square feet and then there are areas of steep slope and those are areas of the site in two depressed areas; one surrounding the wetland the other along Mill Road that exceed fifteen percent of slope. By code you need to exclude wetlands and deep slopes from your developable area on the site. The developable area of the site is reduced to twenty-three point eight one acres if you exclude those two areas.

The yield on the site broken up between independent units and assisted living units was, the calculation was done to show that we had forty-eight independent units, twenty-eight on the north end which would be independent units with garages and driveways and twenty what we call patio homes which would be without garages and driveways; those would be for people who no longer drive. The assisted living units would be portioned to fifty-five percent of the site and that would be a hundred and fourteen dwelling units in the assisted living areas.

We have Phil Monestero here who is the architect on the site who can describe a little bit better the buildings and layouts of the units but what I would like to say a little bit about the site is that this site borders the sanitary district to the south. Back in 2012 we consulted with the Riverhead Sewer Department and there is a sewer that is available at the southernmost corner of Mill Road that is less than fifteen hundred feet. The physical sewer is less than fifteen hundred feet from the site. We believe we can gravity flow through that sewer to the site so that we wouldn't be introducing any pump stations to get there."

Supervisor Walter: "These are all the site plan issues that you're speaking about."

John Gursky: "Absolutely, yes. I don't want to beleaguer that point but we have looked at this quite substantially from an engineering standpoint just to make sure this project is viable in the future."

Supervisor Walter: "What are the heights of the buildings?"

John Gursky: "Excuse me?"

Supervisor Walter: "What are the heights of the buildings?"

John Gursky: “Well the maximum height by code would be forty feet. There would be a section of assisted living that could be forty feet. The rest of the independent living homes are single story.”

Supervisor Walter: “How many TDR’s did you propose to transfer into here?”

John Gursky: “Well, based on what we had proposed we had by code been allowed been allowed, permitted to have one hundred and sixty units with our calculation. We proposed one hundred sixty-two units so the difference would be two development rights, transfer of development rights by our calculations. As Ron spoke, this is an affordable senior housing development and I’ll let that rest at this point and then Ron could pick up on that, Phil.”

Phil Monestero: “Good evening. My name is Phil Monestero and I’m the architect for the project. I just want to start out by showing you how we designed this building and this site plan in accordance with Ron DeVito’s initial concept of the design.

He wanted the people living in the independent units to be able to access the main building without having to cross any roadways so that they could walk in on park like settings, landscaped walkways, never have to really go into parking lots and have a community that’s really coherent in its design and flow.

So, we started with a twenty-five foot buffer. We used that setback to buffer twenty-five feet. After the twenty-five foot buffer around the perimeter of the site we then put up perimeter roadway so that the parking lots are not just one large parking lot. Parking lots are developed into smaller parking lots that are landscaped and buffered from the main road and also from the building. After the road and then the parking lots we decided to put the building so that the independent units on either, on the far reaches of the site those people can walk through a beautifully landscaped walkway and access the amenities in the main building. The main building in the center you could see is where the two story space is going to be. That’s where the amenities that the other people can use and also the people living obviously in the assisted living.

The other concerns is after Ron met with some of the neighbors that we decided to put a one hundred foot buffer to the north and put the three memory care buildings which are one story buildings adjacent to that so the main two story building is even further away from the residences to the north.

Some of the other concerns that came up with Ron and some of the meetings with some of the neighbors was the possibility of putting a bermed landscape on Middle Road and to again reduce the impact. Now those independent houses are Mill Road are also one story residences just like the houses across the street.

One other concern was some drainage problems at the roadway into the horse farm where Ron talked about we can access that road, and improve it so there’s only one point of ingress and egress on Middle Road by improving the roadway and I guess providing an easement to the horse farm so that we can fix the drainage problem and also eliminate a curb cut on Middle Road.

The buildings as you can see from some of the examples there will be purely residential, they will not be institutional looking buildings. They will be residentially detailed, porches, cables roofs, everything you would see in a community that is similar to other communities in the area.

The main focus of this plan is really to keep the people separate from any parking lots so that they can have this community feeling so they don’t feel isolated that they can live in an area that is part of the community and also beautifully landscaped as well. That’s all, thank you.”

Ronald DeVito: “I just a few other things I would like to point out regarding the TDR’s. I’d like to add a little bit about the TDR’s. The RC District allows eight assisted living facilities per forty thousand square feet without TDR’s. They also allow four independent living units affordable, provided they’re affordable, four independent living units without TDR’s per forty thousand square feet. So the total square footage of developable land was about a million thirty-six thousand square feet. So it was about five hundred and eighty thousand square feet needed for the assisted living the hundred and fourteen units of affordable assisted living and that was about five hundred and eighty thousand square feet.

The four independent living units for the total of forty-eight ended up to be about four hundred and eighty thousand square feet so that that added up slightly in excess of the allowable square feet for those affordable type of units thereby resulting in two TDR’s that would be required for this project under the RC District Code provisions Section 108-118 Subdivision D.

There is a distinction made in the RC District Code between affordable assisted living and independent and what is called in the code conventional which is non-affordable. The conventional would have to pay a lot more TDR’s so we have calculated that and what I have also done on the issue of affordability is to, the section of the code that talks about affordability also established a standard for affordability being a hundred and ten percent of the Suffolk County median income.

I have voluntarily agreed at the request of the Planning Board and its resolution to use instead the median income for Riverhead itself. The difference between the two is the median income for the County of Suffolk is somewhere in the neighborhood of ninety-five thousand a year. So the Planning Board was correct and I agreed with them that a hundred and ten percent of that median income would be far beyond what the residents of Riverhead could be used. I do very extensive demographic research on the income of the people in Riverhead, the seniors in Riverhead and also the value of their homes which they sometimes use and sell to be able to afford assisted living and I agreed with the Planning Board that the residents of Riverhead could not possibly afford using the County’s median income so I voluntarily agreed that I would use instead the median income for Riverhead. That median income is based on sixty-five thousand five hundred and ninety square feet; I’m sorry, salary per year. So that is a substantial difference and I can tell you this that this project for me to make every single unit affordable, which I’ve done, including the cognitive care, the memory care, which is typically a lot more than six thousand a month, I am now doing that for fifty-seven, fifty-eight hundred a month below the standard of affordability for the Town of Riverhead. So I can tell you that’s a real tightrope to walk for me to be able to perform all these services at those prices but I’m blessed with Associates in my organization that have found ways to make these kind of projects affordable.”

Supervisor Walter: So you would accept a covenant to that effect on this property?”

Ronald DeVito: “I would.”

Supervisor Walter: “Ok, let me ask you a question. Back to the environmental assessment and I don’t think you may have the answer to this. How did you handle the environmental assessment the fact that this is a sending area and you’re turning it into a receiving area for development rights? In other words back to my original premise that in order to come in with an environmental assessment you have to show that there are no adverse environmental impacts or that you’re mitigating the impacts. How did you deal with the issue of us taking this from being a

sending area where development rights would be sold by the farmer and put in a commercial district or another residential district to making it a receiving area?”

Ronald DeVito: “That’s not how I read the applicable code provisions. There is a specific provision that was added I think in conjunction with the new amendments to the RC Code.”

Supervisor Walter: “But that’s not on this property;”

Ronald DeVito:” That makes, we’re talking about what it would be if the change in zone is granted. That’s what determines a receiving facility otherwise I wouldn’t have to do any TDR’s at all.”

Supervisor Walter: “Mr. DeVito in order for us to make the change of zone we have to have the environmental assessment for potentially an impact statement cover all the potential environmental issues. A big issue and I think you’re going to hear it pretty soon, this is a sending area, not a receiving area so somewhere in your environmental assessment you have to show to us there are no environmental impacts of turning this into a receiving area should we put the zoning in place. That’s an absolute you have to show.”

Ronald DeVito: “With all due respect Sir, I read the statute differently. The question of what property is to be the receiving area is the change of zone is granted. Why would we do otherwise? What would be the purpose of having the receiving, going by the APZ District when we’re not choosing to build under that? We’re choosing to have a project where receiving, and the code specifically says that’s it’s the receiving, that this site if changed to a RC District code provision is a receiving district. It says that specifically.”

Supervisor Walter: “That is the exact issue that you have to study. In other words this is a sending district. In order for us to change it to a receiving district which is what you’re asking, you have to study the environmental effects of changing this from a sending district to a receiving district before we can make the change. You have to study that and show that to us. I guess you haven’t done that.”

Ronald DeVito: “I certainly have Sir; I’ve studied it very well.”

Supervisor Walter: “I’m going to leave the record open because I haven’t seen it. Did you have any more experts because I would like to have our staff come in? They’re not done with their analysis because this was only delivered last week but I’d like to have them come up and say a few words about where we are in the process of reviewing the application if you’re done.”

Ronald DeVito: “What is it that you’re going to produce now? Is this going to be part of the record?”

Supervisor Walter: “Of course.”

Ronald DeVito: “What is it about?”

Supervisor Walter: “I’m having the environmental staff come up and talk about what you submitted and where they are in the process of reviewing it.”

Ronald DeVito: “And their review was not complete?”

Supervisor Walter: “You only submitted this one week ago.”

Ronald DeVito: “Submitted what Sir? I submitted this in November of 2015.”

Supervisor Walter: “Your environmental assessment was submitted last week along with I believe the traffic. That is not adequate time for our staff to go through this.”

Ronald DeVito: “We already did an EAF in the first go-round.”

Supervisor Walter: “Mr. DeVito are you done with your presentation?”

Ronald DeVito: “I’d like to hear what they have to say and I would like an opportunity to respond.”

Supervisor Walter: We would like you to hear it. Let’s give way your time and we’ll have them come up and you can hear it. How’s that? Perfect.”

Ronald DeVito: “Yes Sir.”

Supervisor Walter: “Mr. Murphree, Mr. Seaman, one at a time.”

Jefferson Murphree: “Good evening. For the record I’m Jefferson Murphree, Building and Planning Administrator. After I conclude my presentation I’d like to have Jeffrey Seaman who’s our town Environment Planner come to the podium and address his preliminary issues and concerns.

Before I get into my issues about the subject application I think we need to take a pause and look at where we are with the application process. First of all SEQRA process must be of all SEQRA process must be concluded. As part of that process and the record we, the staff need to evaluate the lead agency, you being the Town Board need to evaluate public scrutiny whether or not there are any public objects to the subject application and tonight’s hearing accomplishes that analysis.

As the Supervisor mentioned, we have not completed our SEQRA report and SEQRA review at this time. We have numerous questions of the applicant that need to be addressed. I’m going to address them in a moment.

Before the application gets too much further down the road one of the big questions you as the agency has to answer is whether or not you want to require an environment impact statement. That is you would have to issue a positive declaration and mandate that the applicant prepare an environmental impact statement. It doesn’t have to be the full blown environment impact statement. You can have defined scope and really target what the issues that you’d want from the applicant to address but I think you’re going to hear this evening both from myself and Mr. Seaman we have additional questions that the applicant needs to address and we as staff need to do further evaluation.

If the Town Board does not believe that there are any potentially adverse environmental or community impacts you can go ahead and issue what's called a negative declaration. The applicant does not need to do an environmental impact statement and you then are free to proceed to vote on the application. That's just on the zone change application.

If you issue a negative declaration you approve the zone change then the applicant has to prepare fully engineered site plan application and back to the Planning Board for preliminary site plan review."

Councilman Dunleavy: "Jeff, can I ask you a question?"

Jefferson Murphree: "Sure."

Councilman Dunleavy: "I've been on the Board for eleven years. Just for a zone change is there a Planning Board discussion, that's for the Planning Board. We're just here to see and I want to listen to these people here to see if they feel we have a need for changing our zone, ok? We've been here over an hour now and we haven't heard one person from the audience that lives here, a resident here who think that we need this or we don't need it."

Supervisor Walter: "John with all due respect."

Councilman Dunleavy: "And I've never heard." (inaudible)

Supervisor Walter: "They took over an hour for their presentation."

Councilman Dunleavy: "What it was it was a Planning Board presentation and I'm saying we don't need a Planning Board, all we need is the need, do we need this to change the zone? That's what we're here for tonight. This is not a Planning Board hearing."

Supervisor Walter: "John, that's why I said what I said to the other gentleman, that these are site plan issues. Let Mr. Murphree lay out SEQRA

Councilwoman Giglio: "We need SEQRA (inaudible) zone change."

Supervisor Walter: "Let Mr. Murphree lay out SEQUA. That is what we're here for. The rest."

Councilman Dunleavy: "Yes but it was all site plan."

Supervisor Walter: "I agree John."

Councilman Dunleavy: "I don't know why, you're running the meeting, I don't why that you let us go through a site plan hearing for an hour instead of going through a change of zone hearing."

Supervisor Walter: "John, I said that exactly to the gentleman, he was discussing site plan issues."

Councilman Dunleavy: “We’re never, people are leaving. They’re getting tired of sitting here. I want to hear what the residents have to say.”

Supervisor Walter: “Well then will you let our staff finish? Jeff, would you please finish.”

Jefferson Murphree: “I apologize.”

Supervisor Walter: “You don’t need to apologize. SEQRA is the biggest thing we have to discuss as a change of zone.”

Councilwoman Gigli: “I think what Jeff is saying is that his SEQRA determination of mitigation measures and the SEQRA process are based on what the community has to say also.”

Jefferson Murphree: “That is correct.”

Councilman Dunleavy: “Well if they’re all leaving because.”

Councilwoman Gigli: “Well then.”

Supervisor Walter: “John, we’re going to leave the record open, ok.”

Jefferson Murphree: “One thing I’d like to, John I’d just like to clarify one reason why I’m outlying this process is the applicant, Mr. Ron DeVito early in the process questioned whether or not there was a need for further site, a Planning Board review. If this zone change application is approved it has to, by town code, go back to the Planning Board for site plan application. That’s all I’m saying. That’s it, that’s the application process in a very summarized version so.

I’m just going to recap planning issues as briefly as I possibly can. #1, The application is for a zone change from the town’s most rural zoning agricultural preservation zoning which allows for one dwelling unit per two acres up to what the applicant is requesting eight units to the acre. The as of right, I hate to call it as of right, the potential development yield on the agricultural zone preservation property is ten dwelling units, not twelve, it’s ten. Second element is if you approve this you have to by default amend your comprehensive plan. The comprehensive plan made recommendations for RC zoning you landed that area and rezoned RC properties on your own motion. This is an application by the private sector coming in seeking to change the zoning and thereby amending the comprehensive plan. That needs to be evaluated by the applicant. #3, As the Supervisor mentioned this is changing a sending site, and it’s in the TDR section of the code that agricultural preservation zone properties are sending properties. The RC Zoning District is a receiving property and that’s in our town code. So they would be changing it from one to the other.

Two development rights are proposed with part of this application verses the loss of twenty, approximately twenty acres of prime agricultural soils. You need agricultural soils to preserve the industry.

There are other age restricting housing developments in the town. The Planning Board has estimated there has to be fifteen hundred dwelling units of age restricting housing in the town. A lot of the RC Zoning District base their numbers of TDR’s based on a dwelling unit calculation, not a square footage.

The next item is cumulative impact. These are all SEQRA requirements. What are the growth inducing factors? There are three other sites besides the subject application that comply with the zoning criteria in the RC Zoning District. The first one is, if you take a look at the map in front of you, if the map was oriented with north to the top, to the east of the subject property which is to the top above the subject application that's the Wilcox Horse Farm, that's zoned APZ that is one of the subject properties.

The second property is located to the bottom of this map as it's oriented on the easel. That is also zone APZ and meets the criteria of RC zoning and the third property is located behind the (inaudible) property. When you take a look at all four properties together that equates to a hundred and twenty acres of property that's zoned APC.

As I say, we have not finished our SEQRA review because we just got the expanded EAF and traffic impact study last Thursday, we're still evaluating that. We need to look at what the applicant's mitigations are for removing in the APZ and the twenty acres of prime agricultural soils versus what the proposed benefits are to the property.

The application includes numerous references to the town's housing element, this is what I'm holding in my hand now but does not include any reference towards what the goals and policies are in the agricultural element of the comprehensive plan and as part of SEQRA he needs to do that and give us what the mitigation measures offset the loss of primary farm lands.

I would like to have Jeff Seaman come to the podium briefly and give his presentation."

Supervisor Walter: "Jeff before you leave how much time do you need to finish the analysis assuming they delivered everything immediately to you?"

Jefferson Murphree: "We complete our review in approximately two weeks."

Supervisor Walter: "Ok, Mr. Seaman."

Jeff Seaman: "Thank you Supervisor, Town Board members. Jeff Seaman, Environmental Planner of the Town of Riverhead. Historically this project goes back to September 2012 when my predecessor deemed it a Type 1 action. After the Planning Board comments on the original application there were some modifications made. That report was delivered to the Planning Department November 24, 2015.

After review of that application modification I had additional questions that I felt would best be addressed by expanding the full environmental assessment form so that I would have adequate information to yield a determination of impact significance, impact significance determining the threshold of an impact which might trigger the development of an environmental impact statement even when that is curtailed to address those specific thresholds that I felt had been exceeded.

About two weeks ago I believe the Clerk received the expanded environmental assessment form that the applicant has described this evening. I've drilled through most of it. I have not completed my study of traffic impacts. There are underlying issues that have been raised even with the additional information. Notwithstanding while there was a good deal of presentation about the site plan aspects and density the underlying aspect of this Board is a zone change and under SEQRA that's taken very seriously because he needs to address aspects of the Master Plan. As Mr. Murphree addressed some of those issues not only the purpose and needs aspect of this that

this is agricultural property, the APZ these are prime soils in Riverhead and traditionally this is part of a sending area not a receiving area.

So, in about five to ten days I will summarize all of my comments. I will complete Part 2 of the full environmental assessment form. Unfortunately the applicants have not been able to review my draft report to date so I don't want to blindside anyone with too much detail tonight but there are certainly some impacts that I believe are going to exceed the threshold and cumulatively I want to evaluate that and see where we land with the preparation or need of an EIS."

Supervisor Walter: "If we gave them thirty days, I think what I'm going to do is hold the Public Hearing open for a minimum of thirty days so you can exchange information with the potential to hold it open longer because I'm not sure you're getting all this done in thirty days. Would that be a minimum time frame for you?"

Jeff Seaman: "I think that would be a great help and I would also recommend that should this move forward because we want to take a look at the this as a zone change notwithstanding this application of this property receives a change of zone what other alternative developments are appropriate within that zone change that would land on this land. What are the surrounding impacts, what other alternative site locations are available? All of those options are available for study under an EIS, a limited expanded environmental assessment form has helped and discussions tonight and that's why we're here to hear from the public and other interested parties is to see what other aspects we want to entertain in an expanded review under SEQRA. Thank you."

Supervisor Walter: "Thank you. Alright, now we're going to open it up to the public. Please come up, state your name and hamlet or affiliation for the record."

Will Hubbs: Good evening Town Supervisor and Council members. My name is Will Hubbs and I'm here tonight representing the Long Island Builders Institute. I'd like to read a prepared statement from LIBBY.

What do the one hundred, sixty-two families of senior citizens in the Town of Riverhead have in common tonight? Whether they hope to live in one of the residences set aside for active and independent seniors or whether they hope to live in one of the units set aside for enriched housing programs for seniors who need a moderate amount of assistance with their daily activities or whether they hope to live in one of the units set aside for enhanced assisted living residences for those seniors who suffer from chronic illnesses and disease and functional limitations that require high levels of personal care or whether they hope to live in one of the units set aside for special needs assisted living for those who suffer from cognitive impairments associated with forms of Alzheimer's and Parkinson's disease, strokes or other kinds of dementia, they all have in common one need and that one need is the approval from the Town Board of the Town of Riverhead for these seniors to live in our community. It is as simple as that.

Approval by this Town Board for Concordia to build this facility on Mill Road will provide much needed housing and medical care for over one hundred and sixty families who desperately need such care.

Non-approval of this site by the Riverhead Town Board will mean that these seniors who desperately need these services will be told to find the somewhere else, that Riverhead does not want them in our community. The decision is as simple as that.

Beyond the economic benefits of new jobs for our residents, for new sales tax collections, for new economic activity and for new sales to our businesses, the real question is whether the

senior citizens who desperately need these medical and health care benefits will be able to receive them in the Town of Riverhead.

Does the Town of Riverhead care about the needs of our senior citizens enough to provide the zoning change necessary to make this project happen or will it tell all of the senior citizens who need these services to go someplace else, go someplace outside of the Town of Riverhead. That is the question to be faced by this Town Board.

The Long Island Builders Institute, the largest residential home building trade association in New York State supports this project not just because it will provide economic benefits but also because it will provide a home to over one hundred sixty senior citizens from this community.

Providing homes for our residents is what we do and these units with the medical care included will be home, home for senior citizens to be able to live in as they cope with the medical issues all of us will one day have to cope with. All of us will one day be in the same situation as these seniors, desperate for a home and the medical care that comes with it in this situation and all of us will want to make sure that these units are available when our time comes to need them.

The Riverhead Town Board can start that process here and now by agreeing to locate the Concordia Senior Community in this location now. Now is the time to make this project happen. Now is the time to provide a home for our senior citizens and now is the time for the Town Board of the Town of Riverhead to allow this project to move forward. A home is a living and breathing place where dreams are made and dreams are remembered. Let us create a home for our seniors who need it so desperately. Thank you.”

Supervisor Walter: “Do you want to submit that letter for the record?”

Will Hubbs: “Yes, please.”

Supervisor Walter: “Next speaker, thank you Sir.”

Michael Szab: “Good evening. My name is Michael Szab and I’m here with LIBBY as well. I’m an attorney and I’ve been doing business in Riverhead for thirty years. I’ve seen your downtown flourish, your restaurant’s doing great; the area is wonderful to come to.

In order for the downtown to continue to grow you need to two things. You need to be able to keep your residents in the community as they get older and you need to attract people with jobs. This project does both.

The people who will be living here are men and women from the community. Their mothers and fathers are people who live in the community. I feel it will be a great project for the Town of Riverhead and I urge you to approve it, thank you.”

Supervisor Walter: “Thank you Mr. Szab; next speaker.”

William Glover: “Hello, my name is William Glover and I’m also a member of Long Island Builders and I promise to keep it brief. I’m in support of Concordia Senior Living. I’m a Long Islander, love Long Island and it’s where I want to stay until I depart. I feel these types of communities provide that option to people who feel the same as I do.

Economically it does not have an impact on the schools. It brings revenue to the town and to also the local businesses. Hopefully you’ll find favorable to this project.”

Supervisor Walter: “Thank you.”

William Glover: “Thank you for your time.”

Supervisor Walter: “Next speaker.”

Allen Kiddermer: “Good evening. My name is Allen Kiddermer and I work for Cosentino Surfaces and I’m also here to represent Long Island Builders Institute. By moving forward with this project it will create approximately twenty-five jobs for our company and the associate companies that work with them for all the servicing needs from countertops to outside pavers.

The project overall is going to require more workers to come in which in turn is going to increase the business that’s going to be coming to all your local businesses of the people that own them here. I just hope you can move forward with this project and we’re here to support it any way we can.”

Supervisor Walter: “Thank you Sir, next speaker.”

Dean Wilcox: “Good evening, Dean Wilcox and I represent the horse farm next door to the proposed development. We don’t oppose this by any means. We met with Ron on several occasions. He’s very favorable to putting in a buffer between the farm and the development. He seems to be an honorable man and we have no objects to this at all.”

Supervisor Walter: “Can I ask you a question? Do you think you’ll ever sell your horse farm or request a change of zone for your horse farm?”

Dean Wilcox: “To be honest with you I’m wondering where we are going to be in a couple of years if we go to develop. Will we have to go through all this?”

Supervisor Walter: “That’s my question. Would you come in for a change of zone for an assisted living?”

Dean Wilcox: “Would I?”

Supervisor Walter: “Yes.”

Dean Wilcox: “It’s possible. Somebody said before that property would be suitable for this, the horse farm property.”

Supervisor Walter: “That is one of the properties that would meet the criteria.”

Dean Wilcox: “Meet the criteria. I believe the horse farm is two acre residential zoned?”

Supervisor Walter: “Yes.”

Dean Wilcox: “And what is the property he has?”

Supervisor Walter: “Same thing.”

Dean Wilcox: “Same thing. So why?”

Councilwoman Giglio: “What’s your total acreage?”

Dean Wilcox: “Why is his property not susceptible?”

Supervisor Walter: “He’s asking us to change the zoning to allow the hundred and sixty-two units. I’m asking you.”

Dean Wilcox: “So would have to ask for a change of zoning. I don’t believe my Mom would to have to go through all this.”

Supervisor Walter: “Ok, that’s a good answer then, thank you Sir.”

Dean Wilcox: “But we don’t oppose the project.”

Supervisor Walter: “Thank you, next speaker. Is anyone else in favor? Not seeing anyone else we’re going to start the other side. Step up.”

Marcia Kipperman: “My name is Marcia Kipperman and I’m immediately impacted by this development. To start off I absolutely agree that there is a need for senior housing, for assisted living, for nursing home care; there’s no doubt in my mind about that. But having said that I have a lot of concerns about this project being located where it is and I won’t go over things that have already been talked about.

One of my concerns from an environmental standpoint and traffic was discussed already. With all due respect to traffic software and throwing things into a computer and having it spit out information, I can tell you first hand living on the corner of Mill and Middle Road the traffic there is bad.”

Supervisor Walter: “We learned that. A hundred and twenty, what’d they say a hundred and twenty cars pass by that intersection. That’s what I meant, eight hundred and ninety cars.”

Marcia Kipperman: “I have trouble getting out of my driveway to go shopping and Middle Road as everyone knows because people from Southold who come to shop in our wonderful town then go back to Southold say, oh you live on Middle Road, that’s the bypass, that’s how we get into Riverhead by going down Middle Road. 58 used to be the bypass. It isn’t the bypass anymore.

The other environmental concern is the whole process that goes in and I’m not good at public speaking that goes into the Sewer District, the sewer plant. We all saw last summer what happened on the river and on the bay with the fish kill and the nitrogen and all of that scientific stuff with the river and bay. By adding more onto the sewer plant we’re just exacerbating what happened last summer and we’ll have again next summer and the summer after and the summer after if they hook up to the current sewer plant without putting in the money if they want to put in their own sewers.

Within a two mile radius of this area are six senior communities, not assisted living. I understand that, not including Riverhead Landing and John Wesley Village and it was stated and

it is pretty correct that within those unites are over sixteen hundred individual homes or apartments or whatever they call it which amounts to clearly at least three thousand people in this densely populated area within two miles of this.

Insofar as zoning I'm not familiar of all the technicalities of zoning but one thing I know the zoning has changed. Once that farmland is full of asphalt it's never, ever going to go back to being able to be farmed again.

The other concern I have and I've read it I think in some of the local papers is the impact on our EMS system. The number of times and people who live in the neighborhood can substantiate this, that the ambulances are going up and down Mill and Middle Road for emergencies. I don't know if having a facility like this here whether our local EMS can handle those kinds of calls or the increase in the amount of calls.

Again I agree with the premise of this kind of project but in my view it would be better suited in another area. EPCAL would be a beautiful place. You know there's probably four hundred acres there and you know the roads and everything to support it. I believe the Town should take its time and thoroughly go over all of the environmental and all of the other impacts that this project would place on this area which is already much to densely populated with senior housing. Thank you."

Supervisor Walter: "Thank you. How are you doing Sir?"

William Rule: "William Rule, 1154 Middle Road so I live diagonally east across the street from the property so I know the property very well. Just a couple of things I wanted to point out and I'm also a baby boomer so I thank the gentleman for pointing that out and helping my old age when I get there.

When it comes to the environmental impact I just want to point out that I don't think they built into the software program that when you look at the site there, when you look at the area that was designated as the water catchment area that little pond there that's in the corner right here, this area right here that's not going to be developed it said. That area along Mill Road the Town has designated as a wildlife crossing and is posted there with the signs there that deer cross there so the reason."

Supervisor Walter: "I don't think that's official."

William Rule: "I wanted to call about that but I know those signs are there and I also know we are collecting dead deer carcasses off that road throughout the year, several and the reason is because that waterhole there is the main drinking area for the deer population that have been kicked out of the area when they built Costco and saw here, at the hearing here that when they were building the clear cut area around Costco the gentleman said who was representing the Capitalist oh we're going to clear from the back to drive all the wildlife towards 58. See I heard some bad ideas in my life and that had to be in the top five of dumb ideas, ok. And he thought that was a good idea so but happened is the wildlife population has been driven into that area there behind Foxwoods and their main drinking hole is that water catchment area right there. So I know that because I see the deer there and they've been driven towards the residents there and that's not a big deal. There's also a gaggle of wild turkeys that live in that area there. They also were driven out of the Costco area and you can see they're in Foxwoods and I know the residents don't mind them being there but that gaggle of wild turkey that are indigenous to Long Island and have also

been driven out of the area that is their main drinking area right there, that little pool of water right there that's not going to be developed.

I just want to point that out that that's not built into the software program, ok. And also I was shocked, eight hundred and ninety cars an hour plus the sixty cars an hour to be coming out of the other four driveways. That's over a twelve hour period, that's eleven thousand cars transversing that little intersection there and so the deer population is also, I'm complaining about that.

Now when it comes to the zoning I mean it's an agricultural protected zone and I have a backyard horse operation there. I mean yes Wilcox is across the street with their horse operation but there's also another horse farm on the corner there and if you go down the road this other backyard horse operation's along Middle Road. There's another horse farm a little farther down, there's another horse property a little farther down and there's several backyard horse operations down there which is just one of the reasons why Riverhead is so great because we can have horses on our property. You go the other way there's (inaudible) farm, if you go down Deep Hole Road there's three or four or five farms, (inaudible) farm is there, all horse farms down there so between the horse population and the horse farms and the farm stand on the corner there this design does not fit the neighborhood, that would be the other point I would make.

And also if you look at the property according to this map which would be to the east which is Riverhead Landing and also Foxwoods but Riverhead Landing when you talk buffer zone that whole wooded area here and if I can just approach again, this is the buffer zone which is and I'm quoting, this is Planning Board stuff too so I'll make that meeting too. The Planning Board on the zoning application for that is to remain quote "undeveloped and allowed to exist in its natural state". Now when they talk buffer zone for this property I'm not seeing that there, I'm not seeing a buffer zone that's allowed to exist in its natural state and you cannot even see Riverhead Landing from any road even if you go down Osborne there's maybe two hundred feet of buffer zone there; the same with Foxwoods although there was some grumblings about that. Now that it's grown in there's a nice buffer zone there and you can't see anything from the road. Again, I'm not seeing it here so if you're going to have that required on that side of the property and again over at Foxwoods, you know I don't want to be in the way of progress but you got to be consistent and I'm not seeing a buffer zone in its natural state.

In closing I'm just kind of not in favor of changing a zone and zoning so someone can come in and develop the property. Now I moved out here for a lot of reason that I heard that but I am a kid from Long Island but I saw that happen in Nassau County so I'm just not in favor of changing the zoning so an organization can come in and develop the property and so charge rents for it and thank you very much."

Supervisor Walter: "Thank you Mr. Rule, next speaker."

Craig: How are you doing? My name is Craig from Calverton."

Supervisor Walter: "Right behind EPCAL, I remember you from the last time."

Craig: Yes, yes. So there's a lot of little things I pick up on here which I'm not going to because of the time but I prepared something short that I'm going to read but before I do that one thing that I would like to say is comparing traffic from ten residential homes to comparing and saying a hundred and forty-five people commuting to a place of business for work is comparable

traffic is not really fooling anybody here. I mean come on. An average home has two cars, it just doesn't add up.

So, I'm here tonight to offer my comment on the proposed assisted living facility on Mill Road. My comment is that this project should not be approved. Riverhead Town is unlike much of the overcrowded and overdeveloped Long Island. Riverhead Town has zoned areas to protect the character of this town. This town is like some of us live here, it's what made me move to Riverhead from Islip even though my work takes me to Queens and Manhattans every day during the week.

I'm sure the money driven developer behind this project is proposing this as the benefit to the town but they don't mention the added strain to our police, fire and of course the traffic. I'm afraid if the town folds and allows this project it will be paving the way for every other developer and we here in Riverhead will end up with a place resembles Nassau County.

If this project must take place in Riverhead why not use another location? I understand that there are some problems with it but one site that wasn't mentioned was the Costco site, the immense cleared area there that's close to all the utilities and the center of town.

These developments are forever; once built we're stuck with eyesores and the problems associated with them for life. There's no new forests or fields being created only the buildings and strip malls popping up the result of developers looking to make money.

I applaud the Town of Riverhead for the measures they've taken so far to preserve farmland and open space and maintain this town's image. I ask that you stand your ground, reject this project like you stood your ground and rejected the solar project on farmlands in the past. Thank you for your time."

Supervisor Walter: "Costco would be a good site, I like that idea; Mr. Farr."

Rex Farr: Good evening, Rex Farr President of the Greater Calverton Civic Association and farmer. Before I read the letter from the Calverton Civic Association I would just like to remind everybody that less than twenty years ago the 11933 hamlet had about a thousand residents. Today we have thirty-four hundred. These are not my numbers these are the post office numbers. I also remember sitting with former Supervisor Kozakiewicz I don't know how many hours, certainly years in determining the 2003 Comprehensive Plan or as we called it back in those days the Master Plan. So, on that note I would like to read a letter that the Calverton Civic wrote. We took a poll so it is from our three thousand residents that this is the consensus on the Mill Road proposed change of zone hearing.

The Greater Calverton Civic Association is asking the Riverhead Town Board to reject the request by Generac Associates to change the rezoning of the twenty-five acre lot along Mill Road. The recommendation of the Riverhead Comprehensive Plan that was adopted by the Riverhead Town Board in November 2003 was a document that emphasized the importance of developing Riverhead in a manner that would "not only sustain expansion of Riverhead's strong economic base, but also preserve farmland and agricultural activity." The existing zoning of the site in question not only protects the land for potential agricultural production but also provides for the permanent preservation of open space that would surround a clustered housing development. The proposal for the type of intensive development that is being considered for this parcel is a flagrant disregard of the collective visions of both Riverhead Town Boards that adopted the Comprehensive Plan in 2003 and the subsequent Town Board that adopted zoning regulations that complied with the recommendations of the Master Plan.

The Comprehensive Plan of 2003 does recognize that there is a need for increasing intermediate level care and skilled nursing facilities in the Town of Riverhead and that Riverhead does have a high population of residents over the age of fifty-five. The Master Plan however recommends that the type of intensive developments that is being proposed should be “concentrated around the downtown areas and hamlet centers”.

Although the Master Plan also suggests that such high density development could be considered appropriate parcels in the vicinity of the Destination Retail District along Route 58, the zoning that was adopted for the area in question does not provide for such development. Therefore, this Town Board must weigh the potential benefits to the Riverhead community in applying spot zoning for the convenience of the proposed intensive development of the this parcel as opposed to supporting the recommendations and visions of the 2003 Comprehensive Plan. Before any decision is made with regard to this proposal the Town Board must consider the impact that the proposed development will have on services especially the volunteer ambulance corps, sewage treatment and the increase in traffic on already congested Route 58. The increase in traffic on Mill Road that will result from the type of development being contemplated will most likely also require the installation of a traffic light at the intersection of Middle Road and Mill Road.

The Great Calverton Civic Association therefore asks this Town Board to reject this petition and support the vision of the past elected officials to protect and preserve the heritage of open space and agricultural areas of Riverhead, thank you.”

Supervisor Walter: “Thank you Mr. Farr, Councilman Bartunek.”

George Bartunek: “George Bartunek, Baiting Hollow and I’m just really here to kind of represent the work that the former Town Board did put into zoning which Sean you complimented the last time I was standing here saying it was a good piece of work so I want to thank you for that.

You know when Rex was talking I just was thinking of the Master Plan was written prior to the 20063 Master Plan. I believe the year is 1970 maybe ’72, ’74. Does anybody else happen to remember? It was a Master Plan of about this thick. Now honestly the build out potential at that time if I remember the numbers correctly was between a hundred and forty and a hundred seventy thousand people in Riverhead so we would have been another Huntington easily, easily. Obviously the whole premise of the Master Plan that was presented in 2003 that was adopted by the Town Board that Mr. Kozakiewicz was Supervisor of has done everything to find a balance between commercial development and also the protection of farmland, agricultural protection zone.

Sean, you’ve asked some very good questions tonight and I personally want to thank you for asking those questions. Mr. Murphree I have all the faith in the world that you’re going to do a tremendous job of asking all the important questions for the Planning Board and I’ve known Jeff for a number of years so I know you’re going to do a great job on liking into this before you consider changing any zoning on this piece of property. I certainly support Rex’s request in that last letter not to do that.

There’s one thing you might also consider doing. There are two nursing facilities in the town. They’re certainly not the kind of, type of operation that is being proposed here but you have the Riverhead Nursing Home and you also have the skilled nursing facility at the Peconic Bay Hospital. I actually both of those places and at this point they’re actually at about eighty percent of capacity so they’re not even filled at that location, locations. But even more important than that is you might ask how many people or what the percentage is of those people in those facilities are actually from Riverhead. I mean how many people, you have to ask yourself if we have a

facility such as this that is built how many people are we going to be bringing from western part of Long Island and not just addressing the needs of the residents of Riverhead, thank you very much.”

Supervisor Walter: “George, a quick question just because somebody brought it up. Box stores are going to have a little bit of trouble, are having a little bit of trouble now because everything you can buy in a box store you can buy right here on this thing. What do you think about the gentleman that said Costco and all that open space? Just think about that, that’s interesting. Just think about that as an alternative”

George Bartunek: “Ok, you’re asking me if I want to join the Planning Board, is that what you’re up to Sean, no?”

Supervisor Walter: “No just think about it. I want to talk to you about it, alright just think about it, next.”

Linda Nemeth: “Hi, my name is Linda Nemeth from Calverton and I’m also a member of the Civic as well as a representative of the RNPC. Most of what I had planned and had read about has already been spoken about so briefly to report a little bit of what George started and that is we’re talking about these poor one hundred and sixty-two people who are going to need this assisted living and I’m going to ask how many of those one hundred and sixty-two people are going to be allowed to come from Riverhead alone? Then I want to know how much the cost of the independent units is going to be because certainly I don’t care what statistics say I’d like to know how many people can afford sixty-five hundred dollars a month. How many people can afford the assisted living which is probably even more expensive?”

So I would like you to consider that a lot of these things sound wonderful, they’re great. Philosophically I absolutely believe and know we need these facilities but this facility is coming into a place that has been agriculturally preserved. It is asking for thirteen times the yield of construction.

The people here who say they’re here for construction, how many people from Riverhead will get those jobs? So in closing I thank you for your consideration and I hope you do really consider this and the will of the people who live here, thank you.”

Supervisor Walter: “Thank you, next please.”

Brenda Mojave: “Hi my name is Brenda Mojave; I live in Calverton in Foxwood Village. I’d like to thank Mr. Dunleavy because after two hours of sitting here I was very happy for somebody to say I want to hear what the people who live here have to say. Do the people who live here want this and do the people who live here think we need this and I’ll answer you very distinctly, no. I do not think we need it and I personally do not want it and I’m sure a lot of other people don’t.

Now why do I not want it? All the reasons have already been said by everyone else. I will just point to this document which is the 2003 Town of Riverhead Comprehensive Plan, the same document that was referred to by the gentleman from Concordia and yes he talked about the balance between needing a facility such as this and the farm preservation land that is important to so many of us.

This document has two sections that I have, one called land element and one called agriculture element and I'd like to just read two sentences or so from each. It says here that one of the objectives is a green belt farmland open space with a prosperous agricultural community where housing is clustered and open space is permanently preserved. This is pretty much the desire of most of the people who live here especially myself. I moved here from Queens and the reason I moved here is because I wanted to live in an area with open space. I loved the area out here my whole life. I have relatives who live out here. Open space is something that is so limited and as we see even in our own community, I've only lived here four years but we see much of our open space disappear all along Route 58, you have Walmart, that whole area was completely undeveloped. You have down on by Northville Turnpike, that area I know being developed. You have that small property across from Walmart that's going to be developed. We're developing everything and if we don't keep the limited amount of farm space that we have we're going to lose it forever. And yes as the gentleman said we have a need for this and he felt, you know, that the farm, the objective of keeping farm space wasn't as important as the objective of providing a service such as this that's his opinion and he obviously, you know is his business but we see as residents of the community we obviously feel differently. I mean yes we might have a facility such as this but to me and to most of us I think the preservation of the open space is far more important. This facility or facilities of this time can probably be built somewhere else. I'm sure there are plenty of other spaces available even if they are not in Riverhead but as long as they are not taking away farmland because it is limited and like everybody else said once it's gone it won't be back.

Another thing I'd just like to say is regarding the need for a facility such as this. We really have to look at the reality of how many people do wind up in assisted living and nursing homes and yes it is a substantial number of people but they've kind of made it like such an imperative thing you know like everybody's going to wind up there but they're not. There's only a small percentage of the population that actually winds up in a facility such as this so that's another thing to consider, you know we don't necessarily need a facility that size. We don't necessarily need it there. It's a nice thing to have for people who do need it but it's not as imminent as how it was made to sound by the people who have a vested interest in building such a facility and with that I'll close because I'm sure everybody else is as exhausted as I am. Thank you for your time."

Supervisor Walter: "Thank you for choosing Riverhead and welcome."

Bob Mojave: "My name is Bob Mojave and we moved here from Queens to Riverhead specifically for the environment. That parcel of land I'm like the (inaudible) like the whole element changes from commercial to rural to farm. I was looking at some of the agricultural maps that show the agricultural percentage of this county and amazingly it's shrinking. It starts in that one parcel and it goes up to Sound Avenue and every time you take a small parcel away someone is going to look on the other side of the road and say I want that too. You set a precedent here it will never stop and obviously I'm against it."

Supervisor Walter: "Thank you and welcome to Riverhead."

David McLaren: "Good evening everyone my name is David McLaren and I'm the Chairman of the Riverhead Town Ag Advisory Committee and we're a seven member committee with about three hundred years of experience in farming and we hope to see our community remain that way."

There's a lot of aspects in this particular project but back in the formation of the Master Plan in 2003 farmers were asked to give half of their assets back to the town or in an up zoning going from one acre to two acres and we gave a lot of farmland away then and our charge now is to preserve our farms here while we have a chance to preserve them.

This particular location is not a good location for this or any other type of project because it was created as an agricultural protection zone and we need to preserve it and keep it that way because like the previous speaker said once we let one piece go you set a precedent and anything coming after that you have to give the same consideration and pretty soon the agricultural protection zone is gone and that's what we don't want to see happen. Thank you."

Supervisor Walter: "Thank you Mr. McLaren, next speaker."

Jessie Markus: "Hi, I'm Jessie Markus. I'm from Peconic Land Trust and I'm also from Riverhead. I'm very close to this site we've been talking about. I'm just going to read a very short note from Timothy Caufield, Vice President of Peconic Land Trust.

For over thirty years the Peconic Lane Trust has worked with landowners, communities and municipalities throughout eastern Long Island to help protect our region's natural lands, working farms and heritage.

The Peconic Lane Trust strongly supports the preservation of agricultural lands in the Town of Riverhead especially those lands located in the Agricultural Protection Zone.

With regard to the Concordia project located on Mill Road, we would strongly urge the Town of Riverhead to consider alternative locations that would avoid the conversion of these critically important agricultural lands to high density development especially when non-agriculturally zoned land is plentiful in Riverhead. Thank you."

Supervisor Walter: "Do you want to submit that? Mr. Wines."

Richard Wines: "Good evening and thanks all of you for staying up this late to hear us. Like George and a number of others here I was part of the team that put together the Comprehensive Plan back in 2003 and I think there are two really important overriding principles there. One was putting a cap on the town's population so that we could all live here still and the second was preserving the town's agricultural heritage and the farmland that goes with it and I look at this proposal for a zone change and it's really a double insult to the Master Plan and to the farming community that's trying to sustain.

First of all I think the RC zoning as its planned now as the code as it was obviously done for Concordia anyway is flawed because it doesn't require any transfer of development rights to support something like this and the principles of the Master Plan there should be no additional population, no additional housing any place in the town unless its transferring development rights off agricultural lands and the reason it's a double insult is because not only is it not preserving agricultural lands but it's taking agricultural lands so when you do your environmental impact statement all those things have to be taken into account and it's even worse than that because if you do change the zone on this that's a terrible example and it's worse than just setting an example because once you send that sewer fifteen hundred feet then there's a whole lot more area that's within fifteen hundred feet and so two years later you go another fifteen hundred feet and in ten years you're going to be up on Sound Avenue.

So, with that, I think this would be a terrible idea for the Master Plan, a terrible idea for preservation of farmland in Riverhead, thank you.”

Councilman Dunleavy: “Ricky, you’ve been here for a long time. When was the last time that land was farmed, do you know?”

Richard Wines: “You know why it’s probably not farmed now, because somebody thinks they can get a lot of money by selling it to Concordia. If they couldn’t sell it to Concordia I can tell you it would be farmed. It’s happening throughout Riverhead John.”

Councilman Dunleavy: “It’s over thirty years.”

Supervisor Walter: “No, it’s twenty-five years and I can probably get you the video because somebody.”

Councilwoman Giglio: “1972.”

Supervisor Walter: “’72, we have video (inaudible)

Councilman Dunleavy: “It’s not actively agricultural.”

Richard Wines: “It’s not active but.”

Councilman Dunleavy: “That’s all I’m saying.”

Richard Wines: “But you look around the town now and farmers are hungry for land and I know of two significant parcels that have been cleared in the last year, are being cleared right now to put them back into farming so I can tell you if this land, if we don’t allow something, intense development on it, some farmers going to look at that and hey I can put nursery stock there or whatever.”

Councilman Dunleavy: “I understand. I just want to make one statement. Years ago this town, you on the Master Plan didn’t want children in this town anymore because they sent their kids to the school district and the school district taxes are outrageous so that’s one reason why you limited it to forty-five thousand people in the Town of Riverhead and we made this senior citizen row along Middle Road because senior citizens do not have children and we want them to come in and build up that forty-five thousand. Now that the senior citizen population is getting older, we don’t want to take care of them. The Town of Riverhead does not want to take care of the senior citizen population because they’re getting older and we just want them to move to a different town now so I think that’s what we have to think about is we have the senior citizen population that we owe because are the ones who brought them here.”

Supervisor Walter: “Ok, can we finish, next speaker.”

Linda Warren: “Good evening, my name is Linda Warren. I live in Foxwood Village and I’m going to keep this really simple because I’m not up on any of these studies. I really don’t

know statistics but I don't need any studies to tell me how this is going to impact traffic on Middle Road and on Mill Road and right next to where I live and I also, I also can't believe that the word affordable has been used here, affordable? Let's call a spade a spade.

I didn't move from anywhere. Ten generations of my family grew up in Cutchogue and lived there so Riverhead was always a city to us. However I love Riverhead. I like living here and I'm sorry, don't tell me that this project is affordable. I have a ninety-one year old mother and she and I happily live in Foxwood Village and we love it there. We love access to everything in Riverhead yet its busy enough. We don't need this kind of activity going on where we live, it's not going to make our lifestyle very pleasant and I'm certainly not going to be able to afford to live there and I certainly can't put my mother there, I'm taking care of her myself. I don't think anyone is going to throw their seniors to the wind in the township, I don't believe that for one minute and I don't think anyone that's older or baby boomers are going to pack up their suitcases and leave Riverhead because this project doesn't go forward. That's my simplistic view and you'll have to excuse me and I'm proud of it."

Supervisor Walter: "Thank you, Mr. Rottkamp and congratulations on your reappointment."

Jeff Rottkamp: "Good evening. My name is Jeff Rottkamp. We've been farming here on Long Island since the early eighteen hundreds. We've been in Riverhead for fifty years and I'm in favor of TDR's being purchased if a project needs to move forward, one for one.

We had, probably fifteen years ago one acre zoning on our farmland and the town was concerned about the build out of the Town of Riverhead and it was suggested that the farmers accept or think about going to two acre zoning so we reluctantly went to two acre zoning. We decreased our assets on our value and that kind of bothered me, it still bothers me because we were never compensated, didn't even look for compensation but we wanted to help the integrity of Riverhead Town and there was the traffic, it was the schools, it was the housing, it was sewerage among a few other things. So we need to preserve farmland of what's left.

We've been here for fifty years and what I saw fifty years ago was very nice. What I see today scares the hell out of me because in fifty years from today, if nothing gets done, this generation is going to say why didn't somebody look out for agricultural on Eastern Long Island or we'll be buying all of our produce and food from some other country, maybe across our country and we won't know what we'll be doing, we're going to be dependent on someone else for our food and we need agriculture on Eastern Long Island more now than ever and if someone wants a project in this town they should be required to purchase development rights so we can preserve our farmland. I hope this does not fall on deaf ears."

Supervisor Walter: "I don't think it will."

Jeff Rottkamp: "I want to thank you guys for the work you've done in the past and it's ten after ten, past my bedtime too."

Supervisor Walter: "I just want to as you a question and I'm not sure you're going to support. If they had to buy a hundred fifty development rights would you support this project?"

Jeff Rottkamp: "Yeah."

Supervisor Walter: “Oh, ok.”

Jeff Rottkamp: “We need the land that’s left.”

Supervisor Walter: “I don’t disagree with you.”

Jeff Rottkamp: “Fifty years from today, let’s see what’s left because fifty years has already been past since we moved to Riverhead and its’ very scary what’s going on.”

Supervisor Walter: “One hundred and fifty development rights got it. Thank you Sir.

Jeff Rottkamp: “Thank you folks, have aa great night.”

Frank Bayrod: “Frank Bayrod, Baiting Hollow. I was not going to get up and speak if someone spoke about TDR’s and Jeff did a great job talking about them. The one thing I would bring up to the Town Board and everybody and I’m a little bit of a history buff, and in the mid eighteen-eighty’s there was bridge that was built to connect Manhattan Island to Brooklyn and to Queens. Do you know why? First of all it was called the Brooklyn Bridge and it connects them to Long Island and you know why? It’s because that was where agriculture was and that’s where the breweries were. Here we are a hundred and twenty years later and we’re done to thirty-three thousand acres on Long Island that are farmed; that’s it and of that only thirteen or fourteen thousand have been preserved.

Last year’s budget by the State only eleven million dollars was dedicated to the EPF fund for sixty counties in New York State and the County is basically bankrupt for the PDR program and without this TDR program which I’m glad to see we put a committee together, formed a committee and codified it. Without this TDR program and without it as a tool forget about farms in the future, that’s what I think, thank you.”

Supervisor Walter: “Thank you. Alright does anybody else wish to be heard I’m going to.”

Robert Kozakiewicz: “Before you do that we got to make sure the record reflexes that there were affidavits of publish and posting. We did receive the cards so that was done prior to the meeting getting underway and I want to make sure the record reflexes that they were provided as required by the applicant. Also there were four exhibits that were submitted to the Clerk. Those were filed with the Clerk’s office on the tenth of February and they included the following; which was referred to by Mr. DeVito but I just want to make sure it’s clear in the record. The first was a memorandum regarding amendments and modifications to changes on application. The second was the expanded environmental assessment which included the traffic study. The third were excerpts from the Riverhead’s 2003 Comprehensive Plan which was also referenced in Mr. DeVito’s presentation and the last was the design precedents for architectural aspects of the project building. So those were part of the Town Clerk’s record and they should be part of the minutes today.”

Supervisor Walter: “Alright Mr. DeVito I’m going to leave the public hearing open for, close the public comment portion out and leave it open for written comment only till March 18<sup>th</sup>. I believe that the Planning staff has a plethora of questions to answer and should they be answered by that time we might make some decisions and of they’re not I would probably as the Board for a further extension of time. Thank you, did you want to say anything else Mr. DeVito?”

Ronald DeVito: “I’m just wondering is there going to be an opportunity, what is the period that I’ll have to respond to the questions?”

Supervisor Walter: “I just told you, March 18<sup>th</sup>.”

Ronald DeVito: “March 18<sup>th</sup>?”

Supervisor Walter: “March 18<sup>th</sup>.”

Ronald DeVito: “Well when do you, is there a time that I’m going to get the thing so I can get it done by March 18<sup>th</sup>?”

Supervisor Walter: “They’re going to give you, they have two weeks to finish up, you just submitted that Sir. They’re going to finish up in two weeks. A lot of people here asked you questions, I hope you had somebody takins notes.”

Ronald DeVito: “I did.”

Supervisor Walter: “You can respond to those questions. In two weeks you’ll have their questions and if you need additional time you’ll ask us, and we’ll hold the public hearing open. I suspect it’s going to go sixty or ninety days, that my suspicion. This is not going to be a quick process because I have a feel you’re on your way to environment impact statement, that’s my own personal, humble opinion Sir. So we’ll close out the public comment portion and leave it open till March 18<sup>th</sup>, 4:30 in the Town Clerk’s office.”

Ronald DeVito: “Thank you Sir.”

**Public Hearing Closed at 10:14 p.m.  
Left Open for Written Comment until March 18, 2016 at 4:30 p.m.**

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Supervisor Walter: “Thank you. Alright, it’s late does anybody else wish to be heard on any other matter before the Town Board? Not seeing anybody can I get a motion to adjourn?”

Councilman Dunleavy: “I make a motion we adjourn the Town Board meeting.”

Supervisor Walter: “And seconded, all in favor aye, opposite, abstentions. Town Board meeting is closed. George you’re official done.”

**Meeting Adjourned at 10:14 p.m.**