

Minutes of a Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Wednesday, February 19, 2003, at 7:00 p.m.

Present:

Robert Kozakiewicz,	Supervisor
James Lull,	Councilman
Barbara Blass,	Councilperson
Rose Sanders,	Councilperson

Also Present:

Barbara Grattan,	Town Clerk
Scott DeSimone, Esq.,	Town Attorney

Absent:

Edward Densieski,	Councilman
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Supervisor Kozakiewicz: "Vince- Mr. Tria, I'm going to ask you if you would lead us in the Pledge of Allegiance."

(Supervisor Kozakiewicz called the meeting to order and the Pledge of Allegiance was recited.)

Supervisor Kozakiewicz: "Is there a motion to approve the minutes of the Town Board meeting of February 4, 2003?"

Councilwoman Blass: "So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "Second."

Supervisor Kozakiewicz: "Moved and seconded. Barbara Blass moved to accept the minutes; second from Councilwoman Sanders."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. 4 yes and 1 absent."

Supervisor Kozakiewicz: "Barbara, Reports, please."

REPORTS:

Receiver of Taxes	Total collections to date was \$41,344,605.05
Police Department	Annual report for 2002 and the monthly report for December, 2002
Open Bid Report	1998 Godwin Dri-Prime Diesel Pump opened on 2/11/03 - 1 bid was received
Open Bid Report	2003 (2) Chevrolet Silverado Pickups opened on 2/11/03 - 2 bids were received

Barbara Grattan: "That concludes Reports."

Supervisor Kozakiewicz: "Thank you, Barbara. Applications."

Barbara Grattan: "We have none."

Supervisor Kozakiewicz: "All right."

Barbara Grattan: "We have none."

Supervisor Kozakiewicz: "No Correspondence. Any Committee reports?"

Councilwoman Blass: "I have one from Solid Waste Committee. Riverhead town was invited by the East Hampton Town Board to participate in a panel discussion two weeks ago on our landfill reclamation project. So on behalf of the Solid Waste Committee, I traveled with our consultants on the project, Tom Wolpert from Young & Young, Jeff Seaman from Coastal Environmental and Carl Fritz from the DEC to participate with the engineers from the East Hampton Town project and their Town Board members and about 75 interested individuals to hear about Riverhead's project."

Supervisor Kozakiewicz: "Thank you, Barbara."

Councilwoman Blass: "You're welcome."

Supervisor Kozakiewicz: "Any other Committee reports? If not,

the time being 7:06 p.m., Barbara, would you read the affidavits of publishing and posting for tonight's first public hearing?"

Public Hearing opened: 7:06 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on February 19, 2003, at 7:05 p.m. regarding the special permit petition of Heritage Property Investment LP to allow the construction of a 13,330 square foot pharmacy and related site improvements on property located at County route 58, Riverhead."

Supervisor Kozakiewicz: "Okay. This is a special permit application. As such we require individuals to be sworn in. If you have a number of witnesses you'd like to present, why don't you state their names- have everyone state their names and their representative capacity for the record and we'll have them sworn in as (inaudible)."

Keith Archer: "Thank you."

Ron Hill: "Ron Hill, Dunn Engineering."

Devon Delpaz: "Devon Delpaz with Laker Development Group (phonetic)."

Keith Archer: "We also have an engineer that if there are questions that may be asked, that he can give the answers. And that's Michael Keper from (inaudible)."

Scott DeSimone: "Please raise your hands. Do you all swear to tell the whole truth and nothing but the truth, so help you God?"

(Collective response)

Supervisor Kozakiewicz: "Okay. You may proceed."

Keith Archer: "Thank you, Mr. Supervisor, Members of the Town Board."

Barbara Grattan: "Excuse me. Could I have your- "

Supervisor Kozakiewicz: "Oh, yeah. We need your name."

Keith Archer: "I was going to do that."

Supervisor Kozakiewicz: "Okay."

Keith Archer: "My name is Keith Archer of Morton Webber & Associates (phonetic). The address is 201 North Service Road, Melville, New York. We represent the applicant in this special permit application, Hook Super X (phonetic) which is owned by CVS, in connection with this request for a special permit to construct a CVS pharmacy on the southwest corner of what is known as the Roanoke Plaza Shopping Center which I believe as all of us here know, is situated on the north side of Route 58, just west of the Roanoke Avenue.

As Board members are no doubt aware, CVS is presently a tenant in the Roanoke Plaza Shopping Center and as with many locations on Long Island, CVS is moving out of existing centers and putting the stores- new stores on free standing pads- pad sites with drive thru windows.

The existing Roanoke Plaza Shopping Center is an 11 and half acre site that's owned Business B and it's presently developed with retail stores totaling approximately 87,705 square feet. TJ Maxx is as you are all aware, the main anchor tenant of the shopping center.

As will be described in more detail by Devon Delpaz, CVS- the proposal is to add an 11,970 square foot CVS pharmacy with drive thru window. The store will have a mezzanine for storage area of 1,760 square feet. It's in the second- second floor mezzanine. Therefore, the total additional square footage is 13,730 square feet which includes the mezzanine area.

Now, the overall size for the Roanoke Plaza Shopping Center will increase of approximately 87,705 square feet to 101,430 square feet, an increase of 13,730 square feet. This will result in an increase in building lot coverage from 17.43% to 20.2% or 2.77%.

The Board- some of the Board members may not be aware, but in 1976 this Board granted a similar application to increase lot coverage then from 15% to the current existing 17.43%.

The applicant has submitted a traffic study which was prepared by Dunn Engineering as part of the long environmental assessment form that was submitted with this application. Ron Hill, a professional engineer and principal of Dunn Engineering Associates, will offer testimony regarding the conclusions and recommendations of that traffic study.

Also offering testimony tonight is Devon Delpaz, CVS' preferred

developer for the site, will describe the site plan which we have submitted with this application.

Available to answer any questions of a technical nature that Board members might have is Mike Keper who was also sworn in, a professional engineer with (inaudible) Brown.

As Ron Hill will explain, part of CVS' proposal for this site is to implement several improvements to the shopping center at this site in the interior which will facilitate safer vehicle movements in the shopping center and improve ingress and egress from Route 58. In addition as part of this application, a cross access easement has been offered on the westerly side of the property to permit vehicles to move between the Roanoke Plaza Shopping Center and the adjacent center to the west- sorry, the adjacent parcel to the west, which is presently being developed as you know with a Target store. This will eliminate the necessity of vehicles that want to go from one center to another having to go out to Route 58.

This describes the application very briefly. Unless Board members have any questions, what I'd ask in order to expedite this is to just ask Devon Delpaz to give some brief testimony regarding the site elements of this application."

Supervisor Kozakiewicz: "Okay."

Keith Archer: "Thank you."

Devon Delpaz: "Good evening. My name is Devon Delpaz again from Laker Development Group. As Keith had mentioned, we're proposing to develop a free standing 11,970 square foot CVS Pharmacy in the- we'll call it the grassy knoll that exists currently at this plaza.

If I can- I'm going to try and shout while I come across here. It's actually a drawing that's kind of a blow-up, it's a little easier to see what we're talking about.

This area currently is pretty much a grassy area for the most part. I'm sure you're familiar with this location. The shopping center itself is currently over parked according to the parking calculations that we've gone through and I can give you specific numbers but what we're proposing to do is provide- let me shoot back to the actual numbers here. There's 548 parking stalls that are required with the proposed CVS as shown on this plan and the existing shopping center. There are currently 598 stalls in existence without

the proposed CVS Pharmacy- free standing pharmacy.

We're going to be providing 549 or basically one more than is required, 26 of those would be land banked for a net of 523 parking stalls.

One of the features of this proposed store is the addition of a drive thru. It's actually-- we call it a pharmacy pick up and drop off window because technically what it's for and only for is for prescriptions. For pick up and drop off of prescriptions. And that's why two of them are needed. One of them is for drop off; one of them is for pick up.

What that enables CVS to do is to provide much more convenient access to the pharmacy to some of their customers that, you know, folks that may be handicapped, some of the elderly folks that have trouble getting in and out of their car, folks with children that might be sick, especially on a snowstorm like the other night. Have your doctor call in a prescription. You can pick it up. You don't have to drive your kids in the pharmacy. So it works out nice. It's a much more convenient situation for the customers. It's something that all pharmacies are adding these days. I'm sure you've seen them in all of the new pharmacies that are being added throughout Long Island.

The other thing that we're doing is we're obviously increasing the sales area. That's an important feature for us. We're coming out of the shopping center, give us more identity. Currently it's, you know, you drive by that shopping center, we're in there, we're near TJ Maxx but it's kind of hard to see us. It's important to CVS to get out (inaudible) these free standing locations to better serve the customers with these drive thrus and make it more convenient so they can get out- get in and get out and, hopefully, frequent the store a little bit more often.

That in kind of a nutshell is what we're proposing to do. The front door of the store, just to kind of give you a little bit more close in look. The front door of the store is right here. It's right- "

Supervisor Kozakiewicz: "So- just for the record, it's the southeasterly corner of the building."

Devon Delpaz: "Thank you."

Supervisor Kozakiewicz: "Okay."

Devon Delpaz: "This- you know, there's a signal at this access point here. There's no signal at this access point here. For CVS, the proximity of parking stalls to that front door is critical. That's why we have double row parking here as well as parking along the side here. Those are the ones that people- the customers use. You know, we can- certainly as part of the plan, we have parking stalls provided over here, but you are going to see employees parking over here for the most part. The customers are going to be parked closest to the building."

We have two fully enclosed dumpsters that are located in the back, the northwest corner of the proposed site and then again there is connection with the balance of the proposed shopping center- or the existing shopping center.

That in a nutshell is the proposed project. We have- we're here to answer any questions you may have about the site plan. We also have Ron Hill from Dunn Engineering to answer any questions you may have. He's actually going to give a presentation on traffic impact of this project with respect to the existing shopping center.

Any questions for me?"

Supervisor Kozakiewicz: "I have one."

Devon Delpaz: "Yes, sir."

Supervisor Kozakiewicz: "When you leave the current space, if this Board approves this application, what happens with that space?"

Devon Delpaz: "We're actually- (inaudible) company is actually in negotiations to fill that space that we leave. There is a high degree of interest from shall we say existing tenants to fill that space."

Supervisor Kozakiewicz: "I see Mr. Archer is ready to jump at this one, too."

Keith Archer: "Yeah. I think there's a significant likelihood- there's been negotiations, discussions with TJ Maxx which is the existing tenant at the shopping center."

Supervisor Kozakiewicz: "Okay."

Keith Archer: "Okay?"

Supervisor Kozakiewicz: "Okay."

Keith Archer: "I gave it away."

Supervisor Kozakiewicz: "I- I- one other request. Maybe before Mr. Hill comes up, is there some way to shift that diagram around so that when he explains the traffic flows and what's being done, the audience can see it a little bit? Because I know they weren't able to see all this so when Mr. Hill comes up to explain what's being done- because I see you're rerouting a little bit and I think maybe making a safer passage from that easterly side of the property out to that westerly exit. So if he could explain that but I want to make sure the audience can see it and they can understand it so that if they have comments."

Councilwoman Blass: "Before we get to traffic, could I ask this other gentleman- "

Supervisor Kozakiewicz: "Oh, sure. Which one? Mr. Archer or the- Mr. Delpaz? Okay. Mr. Delpaz, there's a question from Councilwoman- "

Councilwoman Blass: "Before we get on to the traffic issue, I just wanted to ask you two things if I could. In your parking calculation, did you include the mezzanine area as well?"

Devon Delpaz: "Yes."

Councilwoman Blass: "Okay. And in light of the fact that you mentioned the site is actually the only green area basically on- in that whole shopping center with the exception of the islands, do you propose to replant or revegetate or provide any green space on the existing site?"

Devon Delpaz: "Yes. Yes, there is- there are landscaped areas. This is not a landscape plan. It's merely- I guess a diagram or (inaudible). This area here is all going to be landscaped. This shows some landscape in here. Obviously it will be screened very well, this area as well, and along this boulevard."

One of the things that CVS does a very good job of- I'm sorry, I was probably standing right in front of it."

Councilwoman Blass: "That's okay."

Devon Delpaz: "I'm saying this area here, this area- these areas here, CVS does a very nice job of providing landscaping and maintaining that landscaping, obviously irrigated (inaudible)."

Councilwoman Blass: "At some point, I'd like to know what percentage of the site that would be in green space."

Devon Delpaz: "Sure. Mike, do you actually have that? We'll get it for you."

Councilwoman Blass: "Thank you."

Supervisor Kozakiewicz: "Okay. All right. Thank you."

Keith Archer: "Mr. Supervisor, Ron Hill, if you permit, the Board, offer testimony."

Supervisor Kozakiewicz: "Yes."

Ron Hill: "Good evening. My name is Ron Hill. I'm a principal in the firm of Dunn Engineering Associates, 66 Main Street, Westhampton Beach.

We were asked to perform a traffic impact study for the subject parcel. As it's been mentioned before, CVS is a current tenant and will move out with about the same space they have now. Right now they have- I think they're in about 14,000 square feet. The new building is actually a little bit smaller and then that space would be re-occupied by potentially other tenants within the shopping center. And that was the basis of which we did traffic generation, the actual re-occupancy of the space that they leave.

And at the heaviest, that space would generate approximately 32 trips in; 31 trips out on a Saturday. That's the highest- "

Supervisor Kozakiewicz: "That's per hour?"

Ron Hill: "That's per hour. During the weekday p.m. peak, it's 21 and 23, something like that, so it's not a big number. It's one additional car every other minute, something like that.

Hardly- when you divide it with the three access points, you'll hardly notice that increase. But- "

Supervisor Kozakiewicz: "Is that based upon what they currently see there or what you currently understand the flows to be?"

Ron Hill: "It's based on- "

Supervisor Kozakiewicz: "Because I'll be honest, I go to that CVS quite often and it's a very busy CVS."

Ron Hill: "Well, that's true. But the CVS is going to stay. What the new traffic is going to be is whatever fills in that vacant space."

Supervisor Kozakiewicz: "So you're referring to that as opposed to the CVS? Okay. All right. I wasn't- I thought you were referring to the CVS operation itself. You lost me there."

Ron Hill: "No. I'm sorry. So we believe it's a minor increase in traffic. When we looked at it, the center to me is an old- very old design, has substantial traffic flow problems in it. If you come in either of those entrances, people tend to shoot across on diagonals. It's like a kamikazi- "

Supervisor Kozakiewicz: "It's a lot of fun with snow out there right now."

Ron Hill: "Yeah. So we recommended improvements to increase the capacity of those intersections and to make it safer. The first is at the traffic signal, to widen the (inaudible) of the existing driveway to get two (inaudible) lanes and to mark it out to two lanes."

Supervisor Kozakiewicz: "Is there going to be a divider, or some kind of separation median between the middle of those- "

Ron Hill: "Down the middle- egress. Egress."

Supervisor Kozakiewicz: "Okay."

Ron Hill: "Also- "

Supervisor Kozakiewicz: "And that's the signalized intersection we're talking about- "

Ron Hill: "Right."

Supervisor Kozakiewicz: "-- which would be the easterly one."

Ron Hill: "Easterly one."

Supervisor Kozakiewicz: "Okay."

Ron Hill: "We're also going to bring the protecting island back on the west side of that so that there's about 150 feet or better of stacking for that signal. That will make the signal much more efficient. You won't have people scooting in in front of you."

We're essentially doing that on the other side also by closing in the one side, putting in a channelizing island to reinforce that- that no left turn. It's currently for left turns out. It's prohibited. We're putting in an island to channelize that and we're also now creating an east/west aisle that kind of lines up with the Roanoke aisle. It will move traffic across the site in a much more orderly manner.

We think that overall greatly improves the operation- the traffic operations."

Supervisor Kozakiewicz: "Well, you'll certainly get rid of that crazy little access point that's down near that westerly access where, you know, if you try to scoot out, you sometimes don't see the vehicles coming directly down on you."

Ron Hill: "We talked to the county about that entrance to the west. At the Planning Board, there were some questions as to whether left turns in should occur at that. I believe they should remain as is with left turns in there. The traffic signal breaks the traffic. People can scoot in and if we moved all that traffic up to the traffic signal and we might have to give them extra time or an arrow, it would diminish the capacity of that traffic signal. We believe they are best off where they are using the traffic signal for a break."

We're also providing a cross access into the Target project. That's in line with both the town's desire and the county to have a cross access easement so traffic can move between one center and the other without going onto 58.

I think we-- talked about parking. We're providing parking per town code but we are land banking a few spaces. With what we're providing, it's going to be more than enough parking for the site. It's probably 20% over what's actually needed.

A couple other things were brought up at the Planning Board. There was a question about the aisle in front of the existing center, not in front of the CVS that we're proposing, was that wide enough. It's currently 28 feet. I think the current practice now is about a 30 foot drive aisle which allows for fire trucks to get in. But it also allows two way flow of traffic if somebody is parked up against the curb. And that's-- what occasionally happens there, you do have people parking illegally along there. We're going to add some signs to prohibit that, to try and keep that area flowing better and then refresh the pavement markings, put in the no parking and the fire lane. We think that a two foot difference between the 28 and the 30 feet is minimal and inconsequential. It's not going to matter that much and it would cost a lot of money to make that kind of change.

Another issue that was brought up is whether we could have cross access with the hospital parking and that we're a little reluctant to do. The times we've been out there, the hospital parking lot is completely full and we're afraid that they will intrude into our lot which is by lease is guaranteed to our tenant. That's a point. If we open that up, we may get some cut through traffic from Roanoke shooting through the center, come in behind those buildings. That's a safety issue for the site.

The access we're giving to Target is retail to retail, common uses. We expect traffic to move between those uses and we think that's very appropriate. To access an employee lot to the hospital, we don't think is appropriate.

That concludes my remarks. If there is- "

Councilman Lull: "Yeah, I have one question."

Ron Hill: "Sure."

Councilman Lull: "During the time that I've been here in the last seven years, we've had several site plans from I guess from that properties, from this site- from this shopping center. Every single time we've had one, the Town Board has been adamant that they would like to see the exit from the parking- from the parking to Roanoke Avenue become two way. There certainly is plenty of room.

The reason I mention it now, Roanoke Avenue and Route 58, no matter what it becomes or is, has a traffic circle right now. It's significant to keep as many people off that traffic circle as possible. Middle Road which is the next road north, has on either now

or in the building stages, seven senior citizens complexes. Seven. Okay? These people, a lot of them do use CVS and if they do use CVS to keep them off Route 58, to let them have an access to this shopping center from Roanoke Avenue, it's a safe right hand turn, would be a significant thing. I hope you would take that into consideration."

Ron Hill: "Okay. We can take a look at that."

Supervisor Kozakiewicz: "Okay. Mr. Archer, is there anybody else you want to produce? Okay."

Keith Archer: "Thank you, Mr. Supervisor. Ron Hill, of course, has been accepted as a traffic expert before this Board and I assume you accept him in that capacity for the purpose of this testimony."

Supervisor Kozakiewicz: "Yes. Is there anybody else who would like to address the Board either for or against the proposal that's before us from CVS or from Heritage Properties? Okay. Your name?"

Jonathan Freiberger: "Good evening. My name is Jonathan Freiberger. I'm with the law firm of Gleiss, Segal and Farkus (phonetic)-- "

Supervisor Kozakiewicz: "Has he been sworn in?"

Jonathan Freiberger: "-- 36 South Station Plaza in Great Neck. We're the attorneys for the property owner and I just-- "

Supervisor Kozakiewicz: "Sir, were you sworn in? Okay. He needs to be sworn in."

Scott DeSimone: (Inaudible)

Jonathan Freiberger: "Yes, I do."

Barbara Grattan: "Sir, would you spell your last name?"

Jonathan Freiberger: "Traditional spelling. F-R-E-I-B-E-R-G-E-R. I just wanted to state for the record that we support CVS' position with respect to the studies that they've- the testimony that they've just given and- on behalf of Heritage. And we agree with their application. It should be approved."

And on behalf of Heritage, I want to just state for the record that the members would, I think, be disinclined to go along with a

recommendation or an approval that conditioned this application on the hospital extending the fire lane and an access of the hospital employee parking to this shopping center. That's- "

Supervisor Kozakiewicz: "What would their reaction be to the request by Councilman Lull to consider two way off of that? That's okay? I mean, can you react to that?"

Jonathan Freiberger: "I don't know. I would have to- I can't commit to whether they would do that. I- they would certainly consider it."

Supervisor Kozakiewicz: "Okay. All right. Thank you. Is there anybody else who would like to address the Board either for or against? Yes, a hand- Art Binder."

Art Binder: "Art Binder, Baiting Hollow. Does a proposal like this require- "

Scott DeSimone: "Swear you in. Do you swear to tell the whole truth and nothing but the truth, so help you God?"

Art Binder: "Yes, I do. Art Binder, Baiting Hollow. Does a proposal like this require payment to the Preservation fund for the town?"

Supervisor Kozakiewicz: "We receive a payment to the Preservation fund or CPF fund when there's a sale of property. This would be a lease so as I understand it, there would not be a payment into the Community Preservation Fund. The Community Preservation Fund applies when there's a transfer and when it's over a certain number, the purchaser is required to pay 2% of the applicable amount to that fund. This is a lease."

Art Binder: "So in other words, he's- they're leasing the property."

Supervisor Kozakiewicz: "That's the way I understand it- "

Art Binder: "A long term lease."

Supervisor Kozakiewicz: "-- and it's a long term lease, that's correct."

Art Binder: "And putting a structure on it."

Supervisor Kozakiewicz: "Correct."

Art Binder: "So who owns the structure? The property owner or the leasee."

Supervisor Kozakiewicz: "Well, it's a different question where we started. I would presume that there's a land lease for a long period of time, the tenant owns it. At the end of the day, it's the landlord's. And I'm seeing a hand- a head shaking, so that's it."

Art Binder: "Thank you."

Supervisor Kozakiewicz: "Okay."

Councilwoman Blass: "Mr. Binder, also though in the Master Plan there is a recommendation that as a policy we should tie special permits that ask for increase coverage, lot coverage, to perhaps the purchase of development rights. That was one of the ways we tried to connect the increased development along 58 to the preservation efforts."

Art Binder: "I think that's a very good idea."

Councilwoman Blass: "But at this point, it's a recommendation. Yes. Thank you."

Supervisor Kozakiewicz: "Is there anyone else who would like to address either for or against? Yes. Sandra Mott."

Scott DeSimone: "Do you swear to tell the whole truth and nothing but the truth, so help you God?"

Sandra Mott: "Yes, I do. Sandra Mott, Riverhead. I've been here long enough to remember that at a number of instances you planned to coordinate the- this plaza as it was with the plaza across the way which is basically going to be empty in the near future and you don't know what's coming there in regard to additional alignment of their exits and so on. You're basically feeding everybody out at one location on both sides so everyone will really know what they're doing without the additional entries and exits. Is that any consideration that's going to be continued to be made? Lining them up basically, because there's no arrows in the lights."

Supervisor Kozakiewicz: "The current light that's signaling the east exit does line up with the light that provides for the access

to the Waldbaum's Plaza. I'm not sure if I'm following your question."

Sandra Mott: "There's another exit, entry, further to the west."

Supervisor Kozakiewicz: "On this plaza?"

Sandra Mott: "On this plaza, correct."

Supervisor Kozakiewicz: "On the Heritage Plaza, north of 58."

Sandra Mott: "Which, also, a little exit on the other side which used to be Blockbuster. I don't know what's there now. And there used to be a Subway, that people used to cut in on the- "

Supervisor Kozakiewicz: "Right."

Sandra Mott: "-- Pergament and it's a very convoluted thing. There are no arrows on these lights. There's just your basic light. So you're not even waiting for a turn to easily get around east or west. So if they have to do this, can they be responsible for putting in a new light with arrows corresponding."

Supervisor Kozakiewicz: "At the current signalized intersection?"

Sandra Mott: "And further down. Are they going to maintain that other entry and exit for this particular plaza? They are?"

Supervisor Kozakiewicz: "They show two access points from County Road 58. The existing easterly signalized one where they intend to, and as a matter of fact that's one of the reasons why I thought it might have been nice to turn this plan around so that you could see in a diagram way what exactly is being proposed. Because that, I think, will answer some of your questions, Sandra."

Sandra Mott: "If at the least, could they at least put a new signal light at the current light with arrows? Can they add lights with arrows on it? And that (inaudible)."

Supervisor Kozakiewicz: "I'm sure that will be done as part of the DPW's study because the Suffolk County DPW will, in fact, look at this. They'll look at what's the appropriate signalization and your comments are noted for the record and certainly will be passed along."

Sandra Mott: "Okay. Because I know when K-Mart moved in, there was no light at Route 58 and I called Mr. Gaffney's office and they contacted the appropriate parties. There were no lights on Route 58. So I'm asking now so everybody knows- "

Supervisor Kozakiewicz: "Well, no light at that particular access point. Right."

Sandra Mott: "Okay. So if they can do that at least because it's extremely dangerous, especially since what you said, the number of seniors moving in. The fact that people do not know how to manipulate a rotary."

And additional signage should be put, you know, for example, I know in one rotary it says people in rotary have right of way. But a lot of people get frightened and they don't know how to operate around a rotary. So if you put an arrow, it would at least give everybody some time to figure out what to do. Thank you."

Supervisor Kozakiewicz: "Thank you. Is there anybody else who would like to address the Board either for or against? Rolph Kestling and then Eve."

Scott DeSimone: (Inaudible)

Rolph Kestling: "I do. Rolph Kestling, Wading River. That road used to be a two way road. What has changed now to make it a two way road again when we made it a one way road. There the people were objecting when you left the parking lot and you made a left hand turn north, you were blocking the traffic and it was a dangerous situation. So what has happened in the meantime to make it different?"

Councilman Lull: "The problem with that one, Rolph, is that making it two way means adding an ingress which means it's only a right hand turn. If you're coming from the north, there can be a left hand turn. That doesn't make any sense when there's a light down the road. We're more concerned with the people who are coming from the north."

Rolph Kestling: "Yeah, so when the people are coming from the north, they're making a right hand turn in, and if they're accessing it, they're going to have to make a left hand turn like before to go north. So now you have exactly the same problem we had before."

Councilman Lull: "Well, you notice something else, too, Rolph,

and that is with every exit from any of the shopping centers around the hospital, around that circle, every single exit is right turn only except that one. And that probably should be a right turn only exit."

Rolph Kestling: "Then you have to- then you should make it and the people have to go around the circle and come back. Once they start making a left hand turn again, you've got the same problem as before. Okay. Thank you."

Supervisor Kozakiewicz: "Eve Kaplan."

Eve Kaplan: "Eve Kaplan, Riverhead Coordinator for the North Fork Environmental Council. I just wanted to pick up on some comments that Barbara Blass made earlier on- the Council has- we've worked hard with you over the past several years on the Riverhead Master Plan and one of the most exciting aspects of this Plan is the transfer of development rights program which we hope to put into place within the next few months essentially."

This project is an ideal candidate for participation, possibly the first example of a successful transfer of development rights from farmland which has residential development components to commercial development in appropriate places like on Route 58.

There are- this shopping center already exceeds the allowed square footage for this area and the addition of this CVS brings it far beyond what has already been allowed by a special permit in the past. So in exchange for this gift of commercial footage and its impact on our community through sewers, through water, through traffic, all the things that they've been talking about today, it certainly would be an advantage to the community for them to purchase development rights in exchange to save some of our farmland at no cost to us in exchange for the gift that we give them of profitability.

And we hope that the Town Board as the Planning Board as recommended, I believe, Lyle Wells also raised this issue several times during the Planning Board hearings for this project. I hope that the Town Board will work with them and consider this actively as an option before you approve this special permit. Thank you."

Supervisor Kozakiewicz: "Is there anybody else who would like to address the Board concerning this application? Any other comment?"

If not, the time being 7:39 p.m., declare the public hearing closed."

Public Hearing closed: 7:39 p.m.

Public Hearing opened: 7:39 p.m.

Supervisor Kozakiewicz: "Barbara, if you would, the time still being 7:39 p.m., read the affidavit of publishing and posting for our next public hearing."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on February 19, 2003, at 7:10 p.m. regarding the special permit petition of East End Wireless, Inc., Onmipoint Communications, Inc. and New York SMSA Limited Partnership d/b/a Verizon Wireless to allow the construction of a 130 foot monopole with 12 public utility wireless telecommunications antennas and a 12' x 20' equipment shed upon property located at Sound Avenue, Riverhead."

Supervisor Kozakiewicz: "This is also a special permit so we should have people sworn, Scott."

All right. As I indicated in the prior hearing, one of our requirements of our special permit ordinance is that we swear people in before they provide their testimony. If you would, we could get the names and positions of the respective witnesses that you are going to produce and have them sworn in right from the start, if you wish."

Lawrence Re: "Yes. I'd be happy to. The witnesses would be Adel Rifaat (phonetic) who is the architect, licensed architect, who will be describing the layout of the site; Natalie Noelle (phonetic) of Verizon who is a radio frequency engineer; and Nicholas Balzano (phonetic) her counterpart at Onmipoint; Teri Elkowitz (phonetic), the planner."

Supervisor Kozakiewicz: "Right behind you."

Lawrence Re: "Behind me. Michael Lynch, the appraiser. I also have an individual named David Collins from (inaudible) Telecom Group. His firm prepared a report that shows that the site would be in compliance with the FCC. That's going to be my intention to submit the report but he's here should you have any questions and you probably might as well swear him in at this point."

Supervisor Kozakiewicz: "And you are?"

Lawrence Re: "And my name is Lawrence Re. The law firm is Munley, Meade, Neilson and Re (phonetic), 36 North New York Avenue in Huntington."

Supervisor Kozakiewicz: "Okay. If we could have all of those sworn. All- "

Scott DeSimone: "Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?"

Collective response: "We do."

Supervisor Kozakiewicz: "Thank you."

Lawrence Re: "Thank you. Mr. Supervisor, Members of the Board. I'm going to briefly describe our application and then I'll call the first witness.

This is an application for a special use permit to enable East End Wireless, Omnipoint and Verizon to erect a monopole flagpole on the grounds of the Cherry Creek Golf Course and to install related equipment on the ground adjacent to the pole.

By way of background, both Omnipoint and Verizon are licensed by the Federal Communications Commission to construct, maintain and operate personal wireless systems throughout Suffolk County and throughout much of the United States. And they are both considered public utilities for zoning purposes here in New York State.

The services that both provide are important to both the residents and business people of the Town of Riverhead. There are some who say, well, why do we need wireless telephones anyway? We've done very well without them all these years. I think if you look around, you'll see that many of our neighbors, many of the people in business, whether it be salesmen, contractors, or farmers, or anybody out and about during the day, have come to rely on wireless telephones as a means of communicating with their businesses and customers.

Residents of the Town of Riverhead and particularly senior citizens and parents with teenagers who like to try to keep track of them, also rely on cellular service. But probably more importantly in times of emergency wireless telecommunications have become a good part

part of the safety net of our community.

By most statistics, between 40 and 50% of all calls placed to 911 are made from mobile telephones. So they certainly are important in times of emergency but they don't do much good if the service is unreliable.

Both Omnipoint and Verizon strive to provide reliable service throughout their licensed coverage area and at present in the Centerville portion of the Town of Riverhead, both have a service gap, meaning that the service is unreliable. In order to eliminate that service gap and provide reliable service, they must establish an antenna facility within a narrow defined area.

We've gone through the Riverhead code as amended and in particular the chapter that the Town Board enacted a couple of years ago that addresses wireless telecommunications facilities, and we've-I believe fulfilled all of the intents and purposes of the code. The code in Section 108-211 states that the code is intended to protect residential areas and encourages the location of towers in non-residential areas. In the area in question, it's zoned Agricultural and the use is golf course. The nearest house is about a thousand feet away.

The second is to minimize the total number of towers and encourage joint use of new towers and that's exactly what this is. This is an application for a co-location or joint use by two carriers so that we don't have individual towers going up all over the town.

The code also encourages the use of towers to configure them in a way that minimized adverse visual impacts through designing, siting, screening and innovative camouflaging techniques. Here again, we've moved the proposed site of the pole all the way back on Cherry- on the golf course, about a thousand feet south of Sound Avenue and we're utilizing a camouflage type pole so that the antennas would be installed inside the pole and they will not be visible to the public. All you'll see is a pole and we can fly an American flag, a town flag, or just no flag at all as the Board wishes, so that the appearance would simply be a flagpole.

The equipment is very low lying. Excuse me. Verizon's would be in a shelter and Omnipoint's in a little equipment cabinet that's on a slab. It will not be visible from Sound Avenue or from any residential area.

So we believe that we've complied with the code and with the intents and with the spirit of the code as well.

The site would be unmanned, monitored remotely on a continuous basis, 24 hours a day, 365 days a year.

As the Board is aware, the Telecommunications Act of 1996 does provide that local municipalities is preempted from regulating the placement of wireless facilities on the basis of the environmental affects of radio frequency emission as long as the site complies with the FCC standard. And we will be submitting a report that indicates that the site with the combined radio frequency emissions of the two carriers, will still be well over 200 times less than the FCC standards, a very low power site.

So from an engineering standpoint and, I think, from a planning standpoint, the site is ideal and will enable both carriers to provide reliable service to the people of Riverhead and at the same time it will have very little visual impact. We are using the latest camouflaging techniques and we've located it as far from main thoroughfares as possible on a golf course and so it will have virtually no visual impact.

As I indicated, I have a number of witnesses and so I'll try to move right along. If the Board has any general questions at first, I'd be happy to answer them. Otherwise, I'll call the architect up."

Supervisor Kozakiewicz: "I'm going to way and see- "

Lawrence Re: "Okay."

Supervisor Kozakiewicz: "-- what the other testimony is before I ask any questions because I do have a couple."

Lawrence Re: "Okay. Adele Rifaat. I'm going to hand up Mr. Rifaat's curriculum vitae if I may. Mr. Rifaat, could you give your name and address on the record?"

Adele Rifaat: "Adele Rifaat. I'm with (inaudible)."

Lawrence Re: "And you are a licensed professional architect in the State of New York?"

Adele Rifaat: "Yes, I am."

Lawrence Re: "And you've been previously sworn?"

Adele Rifaat: "Yes."

Lawrence Re: "And could you please describe to the Board and members of the public, the layout of the proposal."

Adele Rifaat: "It's a- two (inaudible) on the Cherry Creek golf course, one would be a 130 foot flagpole (inaudible). The second is a 50 foot by 50 foot fenced compound and it's located to maximize its distance from existing road. It's about a thousand feet from Sound Avenue, and 3500 from Reeves Avenue, on a massive site, 166 acres, basically 1600 by 4500 feet. It's- "

Lawrence Re: "Mr. Rifaat, the antennas will be installed inside the pole?"

Adele Rifaat: "The antennas will be installed inside the pole. There will be no visible wiring. All wiring will occur inside the pole. The pole is designed in accordance with (inaudible) and TIA standard which is the latest national standard for the design of telecommunications structures. It has a technical record of structural integrity- "

Lawrence Re: "Mr. Rifaat, the Omnipoint and Verizon equipment, please describe the shelter and the cabinets of that briefly."

Adele Rifaat: "There will be a- there will be three-- Omnipoint has three cabinets, basically six feet tall, about four and a half feet wide, 28 inches deep. They will be on a concrete pad. The Verizon equipment is in a 12 by 25 feet fabricated shelter."

Lawrence Re: "Are there any questions about the layout of it that would be directed to the architect?"

Supervisor Kozakiewicz: "No."

Lawrence Re: "Okay. My second witness is Teri Elkowitz. Please give your name and address for the record."

Teri Elkowitz: "My name is Teri Elkowitz. I'm a principal with the firm of- "

Barbara Grattan: "Teri, can you please spell your last name?"

Teri Elkowitz: "I'll give you a card."

Barbara Grattan: "Okay."

Teri Elkowitz: "A principal with the firm of (inaudible) and Elkowitz, with offices at 368 Veterans Memorial Highway in Commack."

Lawrence Re: "And, Miss Elkowitz, have you testified before just about every town and village board on Long Island in the past?"

Teri Elkowitz: "Yes, I have."

Lawrence Re: "Could you please describe the site from a planning standpoint and make reference to the photo simulations that we have prepared for this application?"

Teri Elkowitz: "Absolutely. Our firm was retained by the applicants to prepare a planning, zoning and visual impact analysis and to evaluate the environmental impacts to the site. What I'd like to do is the Supervisor would permit, is to hand you up copies of my report because it may actually be easier for you to follow the photo simulation."

Supervisor Kozakiewicz: "I have a question. Is there also a larger photo simulation that the public can see?"

Teri Elkowitz: "There are."

Supervisor Kozakiewicz: "Okay."

Teri Elkowitz: "Mr. Supervisor, if you don't mind, I'm going to testify to you (inaudible). Then I will turn the boards around and show the photo simulations to the public."

Supervisor Kozakiewicz: "It's important that they see what's being proposed because I know there's a number of people in the audience who are very concerned about location and what the visibility will be. And I'm sure- excuse me-- "

(Inaudible - from the audience)

Supervisor Kozakiewicz: "Oh, you can't hear them? It's not working? Okay. All right. Bring the microphone closer. Thank you."

Teri Elkowitz: "Although you can't see me, I can testify to

you. From an environmental perspective- "

Supervisor Kozakiewicz: "How about now? Is that better? Can you hear? Okay."

Teri Elkowitz: "From an environmental perspective, the facility is going to be unoccupied so it will not generate sewage nor will it utilize potable water. Thus, there will be no adverse impact to groundwater. It's also monitored remotely on a 24 hour a day basis, so there's minimal traffic generated. Approximately one trip per month by a technician from each carrier will visit the site in a passenger type vehicle. So the impacts to traffic are minimal. And because the proposed leased area is small, it's 2500 square feet and it's within a graded area of the golf course and there are photographs in my report that I've handed to you in the appendix, there will be no adverse impacts to soil, topography or ecology."

From a planning perspective, as Mr. Re explained to you, the site is located in an Agricultural A zoning district. And, Mr. Supervisor, before you on the aerial photograph, there is a superimposition of the zoning map which demonstrates to you the site is within the Agricultural zoning district.

What is also on the aerial photograph before you are two lines. One line is a blue line, the other line is a red line. What these lines are, are the search areas of Omnipoint and Verizon. The red line is the line of Omnipoint and the blue line is the line of Verizon. And what these search areas represent are the areas in which a public utility communications facility would have to be situated in order to address the service deficiencies being experienced by the carriers. And as you can see by looking at these lines, because we are attempting to conform with your code and to co-locate on one facility, the only place that we could situate the public utility communications facility is the area in which these search area rings intersect.

So the area, and you'll hear testimony from the radio frequency engineers that explain to you this service deficiency gaps and their search areas, these were provided to us. But this is the intersecting area of Verizon search area and Omnipoint search area. So this is the area in which the public utility communications facility would have to be located in order to address the service deficiency gaps of both carriers. And the site is located right here on the golf course.

So from a planning perspective, if you look at those aerial

photographs and you also look at the zoning maps that are before you, you see that the area is predominantly agriculturally used. You also see that there are some residents in the area and there is a large area of golf course. So from a planning perspective, given the location and the configuration of the intersected search area, in my opinion this is an optimum location for the proposed installation, especially given that the carriers have designed this facility to be a stealth facility such that the antennas are not visible to the public and the equipment is also sheltered so that you don't see it from the surrounding roadways.

And I'm just going to put the microphone down so that I can turn the presentation boards to the community and you can follow the simulations and (inaudible).

Because communities rightfully are concerned about the aesthetic effects of the types of installation that we're proposing this evening, the carriers retained creative visual, professional photo simulation firm to give you to scale in the appropriate location photo simulation of the post development condition. And just briefly what they do is they bring a crane to the site, they put it at the location and the height of the proposed what we're calling a stealth flagpole, and they take a photograph from various vantage points in the community of that crane. They scan the photographs into the computer and using computer software they remove the crane and they replace it with a to scale model of the flagpole in the exact location and height at which it would be constructed.

So if the Board would like to follow along with me, I have boards there and I'll just quickly go over for you the locations that were looked at. And you should also understand- we always try to do 360 degrees and we always try to go to residential areas and other sensitive receptors because those are areas where we are all concerned about visibility.

The first location which is called Viewpoint A is from near 91 Moet Drive (phonetic) and the crane was not visible when that photograph was taken so the flagpole would not be visible and that site is approximately 6900 feet to the north- our site is approximately 6900 feet to the northwest.

Viewpoint B is from the Roanoke Pines subdivision near 81 Greentree Drive. Again, the crane was not visible from that location so the flagpole would not be visible.

The next location is Viewpoint C. It's from near 794 Reeves Avenue and you can see a before and an after where the flagpole is visible.

The next location is from near 2185 Roanoke Avenue. The site is approximately 3900 feet to the northeast and you can see before and after of the flagpole. And I would like to point out to you, as Mr. Re said, that flagpole can fly an American flag; it can have no flag; it can have a town flag. We just show an American flag as a depiction for you.

Viewpoint E is from the intersection of Roanoke Avenue and Linda Lane West. The crane was not visible so the flagpole would not be visible.

The next viewpoint which is from near 4 Dolphin Way which, of course, you know is a residential area, the crane was not visible so the flagpole would not be visible.

The next two are from the closest areas along Sound Avenue. One is in front of the Centerville Chapel, that's Viewpoint G, and you can see clearly the flag and for purposes of illustration, that is what we would represent as the worst case visibility, worst case being that you see the greatest portion of the flag in that location.

Viewpoint H is from Sound Avenue near the Soundview Meadow subdivision overlooking 3747 Sound Avenue, and you can clearly see the before and after. You see the flagpole.

My last location is from near the intersection of Sound Avenue and Doctor's Path overlooking 3953 Sound Avenue. Again, you see the before and after.

But what is very interesting is that you will note that none of the wiring is visible. The antennas are not visible and it doesn't look like a typical monopole with the triangular array that the Board is used to seeing as one travels through Riverhead and other communities.

So from my perspective and from a planning perspective, given the search area, the intersected search area and the carriers intent to co-locate, this location is an optimal location and the stealth design helps to minimize adverse impacts to the maximum extent practicable.

If you have questions for me, I'm happy to answer them."

Supervisor Kozakiewicz: "Yeah. I had a couple."

Teri Elkowitz: "Sure."

Supervisor Kozakiewicz: "This is a scenario I'm a little bit familiar with. For example, how- I had first a generalized question. With respect to all the locations, how were those chosen? How do you decide, for example, on Dolphin Way, to go closest to the Sound as opposed closest to Sound Avenue?"

Teri Elkowitz: "What we try to do is give a representative photograph from the location. We certainly can't take it from every single home but if you're asking me do we try and go on the street to see where we can't see it, absolutely not because if we did do that, we certainly would not have taken G and H."

Supervisor Kozakiewicz: "That's true. But certainly from the standpoint of Dolphin Way, if you came down to Sound Avenue, it may have been visible."

Teri Elkowitz: "It may have been-- "

Supervisor Kozakiewicz: "Okay."

Teri Elkowitz: "-- partially visible, yes."

Supervisor Kozakiewicz: "And my same comment with respect to Roanoke Avenue and Linda Lane, we all know that there's a heavy wood line in there but if you came down to Sound Avenue again- "

Teri Elkowitz: "You may be able to see it. I would not stand up and represent to you that you would not."

Supervisor Kozakiewicz: "Okay. Okay. And- "

Teri Elkowitz: "But we try to also represent to you what a worse case visibility would be."

Supervisor Kozakiewicz: "From those particular locations. But, as- I think my question is if we asked you to go back out would there be an ability to see what the reference point would be like from different locations. Is that something that would be fair to ask? For example, instead of that furthest northerly end of Dolphin Way to come down towards the southerly end and take a vantage point from that."

The (inaudible) Lane, for example, I'm not sure you'd see anything further from that. But Roanoke Pines, the location which is Location B, there's a heavy tree line between that house and Roanoke Avenue and if you had gone the other direction up to the northerly end of that subdivision, you'd have farm fields and a clear view. And I think the depiction would have been different."

Teri Elkowitz: "But, Mr. Supervisor, what I'd like to respectfully submit to you is that it is likely that they will see it, but what they will see is a flagpole in the distance. But even if you assume that all of them had a clear view of the flagpole, they would not see anything less or more than what you see at G and H."

Supervisor Kozakiewicz: "I'm not suggesting that they have a clearer view or non-clear view. I think my only question was how did you determine a location such as on Green Trees, such as on Dolphin. How does a particular address get chosen? I guess I'm trying to find an answer to that."

Teri Elkowitz: "What we do is we put up the crane and we drive around and we try and find places where we see it from and we try to find accurate representations as to what most people in that area see. That's what we try to do."

Supervisor Kozakiewicz: "Okay."

Teri Elkowitz: "And then we always try to give you what we view is the worst case from a public area. And that's what we gave you on G and H."

Supervisor Kozakiewicz: "Okay."

Lawrence Re: "Mr. Supervisor, I have with me and I didn't mention him as a witness because I didn't think he was going to be testifying. Larry Heimel who was actually the photographer who took the pictures and chose the locations and if you would like, I'd like to introduce him. We can have him sworn in and he could answer some of your questions."

Supervisor Kozakiewicz: "That would be fine."

Lawrence Re: "Sure. Mr. Heimel--"

Supervisor Kozakiewicz: "Scott, could we have him sworn in?"

Scott DeSimone: "Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?"

Larry Heimel: "Yes, I do. Hi. My name is Larry Heimel. I'm a principal of Creative Visuals, Inc. (phonetic). As far as selecting the viewpoints, before any photographs are taken, I personally took the photographs that day that the- we had the crane up.

Essentially I drive around and I go through all the different areas and I try to pick out any areas that are closest which are where G and H are to represent what the closest views would be. In addition to, I try to represent what some of the more distant viewpoints are and I use a judgment that would be representative of what you would see from the surrounding area of the photographs.

Viewpoint B, for example, was at the end of a cul de sac and throughout that subdivision, I was not able to see the crane at the time. It doesn't mean that it wasn't visible, but-- through someone's back yard, but from what I was able to gather from public areas and staying on the public areas, I could not find any place it was visible at that time.

But, for example, Viewpoint C, which shows a clear view of it, if one were able to see it from Viewpoint B, you would have the same type of view except it would be approximately one-half the scale because the distance is about twice as far.

Viewpoint D, for example, gives you a clear view- shot looking at the field. For example, a spot there if you were to drive along, as much as it's open when you set up a tripod, there are different obstacles that would block it. For example, I believe there are some grape vines."

Supervisor Kozakiewicz: "Yeah. You- that's actually just south of where the Schneider vineyards have planted their grapes, Viewpoint D."

Larry Heimel: "So even though I wanted to go a little bit further to the north, for example, which would have been closer, I had some areas that would be obstructing the view, and I wanted to give a more clear shot so I didn't have anything that would block the pole.

Again, Viewpoint G and H were as close as I could get on a public area and all the other areas that I drove around, were just simply representations of residential areas. Like anywhere in E and F I was

not able to find-- in that more densely populated area, I couldn't find any place it was visible. That's again not to say that if you went in someone's back yard, that you wouldn't see it.

So, I've done probably 400 studies of this nature and it is subjective of where you take the photograph from, but as Miss Elkowitz says, you cannot take a photograph from everyone's area, so in my judgment this was a very fair representation especially including Viewpoints G and H of what the area would see."

Lawrence Re: "Thank you."

Supervisor Kozakiewicz: "Thank you."

Lawrence Re: "Are there any other questions of Mr. Heimel or Miss Elkowitz?"

Councilwoman Blass: "I maybe have one for Miss Elkowitz."

Lawrence Re: "Yes?"

Councilwoman Blass: "Does the location of this tower at this site fill all the service gaps in the Town of Riverhead?"

Teri Elkowitz: "You actually- a radio frequency engineer will answer that question."

Councilwoman Blass: "Okay."

Councilwoman Sanders: "Miss Elkowitz?"

Teri Elkowitz: "Yes?"

Councilwoman Sanders: "You indicated in your statement that it was a 12 by 25 prefab shelter for Verizon and- "

Teri Elkowitz: "I did not. That was referred to by the engineer."

Councilwoman Sanders: "I apologize. Someone did and I just spotted it but yet in the description on page three, it indicates a 50 by 50 foot."

Teri Elkowitz: "It's a 50 foot by 50 foot compound area. It's a 50 foot by 50 foot fenced area in which the Omnipoint and the

Verizon equipment would be installed and it would be surrounded by an eight foot fence."

Supervisor Kozakiewicz: "Yeah, what I think I heard was that with respect to Verizon, they would have- and if this is wrong, correct it, a 12 by 25 prefab structure. With respect to the Omnipoint, it was three cabinets, six feet tall, three feet wide- four and a half feet wide, and that's what the Omnipoint was. Correct? Is that fair?"

Teri Elkowitz: "I have- my- "

Supervisor Kozakiewicz: "Let's just restate it so that everyone's clear on the record."

Teri Elkowitz: "My information is that Verizon shelter is 12 feet by 30 feet."

Supervisor Kozakiewicz: "I heard 25 before."

Councilwoman Sanders: "Twenty-five is what he said."

Councilwoman Blass: "And the notice said 20. So, now we've got- "

Supervisor Kozakiewicz: "The architect, Mr. Rifaat, is that how it's pronounced? Just if you would please clarify because I thought I took the notes correctly but maybe- because I had down that you had indicated Verizon's improvements would be 12 by 25."

Adele Rifaat: "That's correct. But they're actually 12 by 35."

Supervisor Kozakiewicz: "It's 12 by 35."

Adele Rifaat: "Twelve by 35."

Supervisor Kozakiewicz: "Okay. And Omnipoint?"

Adele Rifaat: "Omnipoint- those are correct. It's a six foot cabinet- six by four and a half by 28 inches and there are three of them."

Supervisor Kozakiewicz: "Okay."

Lawrence Re: "And neither the structure nor the cabinets will

be visible from the roadway."

Supervisor Kozakiewicz: "Okay."

Councilwoman Blass: "It was also notice as 12 by (inaudible)."

Supervisor Kozakiewicz: "Okay. Do you have a RFI or radio frequency expert?"

Lawrence Re: "Yes. One from each company. I'll call Natalie Noehle first from Verizon."

Mr. Supervisor, I neglected to offer the photographs (inaudible)."

Supervisor Kozakiewicz: "These documents. Barbara, you've got more records to keep in your office. We were just talking about the fact that she's running out of space. So noted that they are part of the record. That's two diagrams?"

Lawrence Re: "Yes."

Supervisor Kozakiewicz: "Is that- "

Lawrence Re: (Inaudible)

Supervisor Kozakiewicz: "Okay. Just so that the record is two poster boards, front and back both."

Natalie Noehle: "Natalie Noehle, 4 Center Rock Road, West Nyack, New York."

Lawrence Re: "And, Miss Noehle, you've been previously sworn?"

Natalie Noehle: "Yes."

Supervisor Kozakiewicz: "Can everyone hear her? You've got to get the microphone closer."

Lawrence Re: "Could you describe your professional background and describe your employment to the Board and the members of the public?"

Natalie Noehle: "I've been employed at Verizon Wireless as a radio frequency design engineer for the last five years. I have a

Bachelor of Science from Polytech University in electrical engineering, '97, and I've been working with the company since graduation."

Lawrence Re: "And are you fully familiar with Verizon's network here in Suffolk County?"

Natalie Noehle: "Yes, I am."

Lawrence Re: "Okay. Could you describe how Verizon's system works from an engineering standpoint?"

Natalie Noehle: "Well, a general cellular system operates on a line of sight type of scenario. Basically as long as the mobile and the transmitting unit which is- we call a cell site, which everyone's familiar with is a cell site, as long as there are no obstructions, buildings, trees, hills between the mobile and the cell site, you can make a call. Also distance is a factor. Cell site generally has a radius of one and a half miles and this is based on the power output that we are allowed by the FCC and terrain, factors of terrain and foliage. That's why it can vary from one and a half to two miles. That's a general."

Lawrence Re: "And at the present time, is there a service gap in the Centerville area?"

Natalie Noehle: "That's correct. Basically depicted on these two diagrams I have, the top diagram saying existing coverage. The cross section of- is that Roanoke- that's Reeves Avenue, Sound Avenue and Roanoke."

Lawrence Re: "I can turn this both ways. If the Board wants to see it first, and then I can turn it back to the audience. The top map shows existing coverage- the coverage being in green and the bottom map shows the coverage that would be afforded by (inaudible) and, again, the coverage would be colored in green."

Supervisor Kozakiewicz: "Okay."

Natalie Noehle: "This diagram depicts our reliable coverage areas. Reliable meaning that you can make and receive calls. You can maintain calls and you can maintain good quality calls meaning you won't have what we call muting, partial words where you have to either repeat yourself or have the speaker repeat themselves."

Lawrence Re: "And because of the low power that this site will operate in it, it only covers a limited area?"

Natalie Noehle: "Correct."

Lawrence Re: "So to respond to a question that was posed just a few minutes ago, will this site provide coverage throughout the town of Riverhead?"

Natalie Noehle: "No, it will not. Your question which was will it fill in all of the service deficiency gaps? No, it will not. On its own, it cannot do that."

Lawrence Re: "But it will fill in the service deficiency gap in the Centerville area."

Natalie Noehle: "That is correct."

Councilwoman Sanders: "Is there a- "

Councilwoman Blass: "And how many homes- I'm sorry. Are you going to the same place there?"

Councilwoman Sanders: "I think so."

Councilwoman Blass: "Do you have an idea of what the potential build out in that particular area is? I mean we're talking about existing 163 acres of golf course. What's in the general vicinity in terms of population that you are providing this service to-- in that one and even we'll take the one and a half mile radius?"

Lawrence Re: "The way it's measured is not much the population of people in their houses because by the very nature of mobile telephones, we would be providing service to people traveling on Sound, on Roanoke, on Doctor's Path, on Reeves and on other roads within a mile and a half or a mile."

So the numbers vary depending upon the season, depending upon circumstances and depending upon the time of day. But the area that's covered in green on the exhibit that we will be submitting is the area that would be provided good reliable service from this particular site.

We are not allowed to power up the sites and by virtue of the technology, we can't provide larger areas with coverage from a

particular site. So by their very nature, there have to be multiple sites and what we're endeavoring to do is to try to design these sites to have as little impact as possible and to work with the town, keep in mind what the code suggests to us and keep in mind that the community does not want to have towers all over the place especially the types of towers with large platforms.

So what we're trying to do is find suitable locations as far from residences as possible and design them in such a way that the visual impact will be minimal."

Councilwoman Blass: "And have you already identified additional areas of service gaps in the town that you would predict that you would be coming back to ask for additional towers? I assume you have been investigating other service gaps in the town."

Lawrence Re: "I know for one and then I'll turn it over to Teri- to Natalie- we do have a service gap to the west of this site and we're attempting to find something suitable in that direction. And then I guess elsewhere in the town- "

Supervisor Kozakiewicz: "When you say west of the site, you are talking about on Sound Avenue again. Is that correct, Sound Avenue area?"

Lawrence Re: "Or near Sound Avenue going west."

Supervisor Kozakiewicz: "Okay."

Lawrence Re: "You know, it's a difficult task to find something as good as this and to find something suitable where the visual impact would be virtually nil. That's our goal is to do something like that."

Supervisor Kozakiewicz: "Quick question. Is there any desire to have other carriers co-locate on this pole in the future?"

Lawrence Re: "This pole is designed to accommodate other carriers so that if they have certain deficiencies and they need to provide service in this area, we would- East End Wireless would lease space inside the flagpole to them also in keeping with the code provisions of that co-location."

Supervisor Kozakiewicz: "Do you have any indication or can you state for the record how many other could be co-located?"

Lawrence Re: "There is room for five altogether."

Supervisor Kozakiewicz: "So three others in addition to the two that are before us?"

Lawrence Re: "That's correct."

Supervisor Kozakiewicz: "Okay. And is there an ability to co-locate- do they have different area gaps of coverage that somewhat limit their ability to co-locate here?"

Lawrence Re: "Well, I don't know their service gap areas but I can tell you that as you go lower in height, the site becomes less-covers a smaller area and so by very definition Omnipoint and Verizon are occupying the top of this pole, inside the pole. If other carriers want to co-locate, they will be a little lower so their footprint I guess if you want to use that word, or propagation would be a little bit smaller. The deal is to be higher to cover a greater area. But you don't to be so high as to then become- visual impact. So it's a difficult (inaudible)."

Supervisor Kozakiewicz: "Is there an ability to locate this further south. It seems like your area of coverage goes right up to Sound whether it be no vehicular traffic. You're going well past the Sound Avenue coverage and a lot of it is also- I'm just asking, is there an ability to play with that or fine tune that or modify it."

Natalie Noehle: "Well, actually we have a site to the south which provides some coverage. In the top map, it shows a little bit of green-"

Supervisor Kozakiewicz: "Okay."

Natalie Noehle: "-- reliable coverage."

Supervisor Kozakiewicz: "Where is that? Where's that site, for the record?"

Natalie Noehle: "I believe that's our site near the end of the LIE. It's in Calverton. It's a monopole design."

Supervisor Kozakiewicz: "Okay."

Natalie Noehle: "A standard monopole design."

Supervisor Kozakiewicz: "Okay."

Lawrence Re: "We chose the location on the golf course as a logical location given the layout of the golf course and given the location of houses but there is some ability to move the entire facility a little farther south on the golf course if the Board felt that was a more appropriate thing without major sacrifice. We wouldn't want to go too far south because then the goal of providing service up to the Sound might be compromised and we would be interfering with sites to the south. But we could possibly go a couple hundred feet I'm told by (inaudible)."

Supervisor Kozakiewicz: "Okay. Any other questions of the Board?"

Lawrence Re: "Yes. There's one--"

Natalie Noehle: "And, Your Honor, we do talk- we do provide service to boating traffic as well. We have many boaters that call in. They do not have service and they just connect to actually Connecticut--"

Supervisor Kozakiewicz: "It's called the marine radio."

Natalie Noehle: "They actually- well, they- some of them- some of the mobile phones do actually connect to Connecticut- Connecticut Police instead of you know to a local- a local police department."

Lawrence Re: "That's one of the other factors we have to consider. We're under mandate to provide E-911 service and I think everybody has been reading about what happened in New York City and City Island.

What we're trying to do is to provide seamless E-911 coverage for both carriers throughout Long Island so that if someone makes a call to 911 it goes locally and not to a- some place in New Haven or somewhere and that the caller's location could be identified and so that's one of the things we're aiming for, you know, to provide public safety."

Supervisor Kozakiewicz: "Okay. Is there any more testimony you wish to offer because if not, what I would like to do is open it up because I know there's a few residents, neighbors who are here who may have some questions and may want to offer testimony for or against."

Lawrence Re: "If there's no other questions of Natalie Noehle, I have the counterpart from Omnipoint because Omnipoint is an applicant also, radio frequency engineer, Mr. Balzano. And he's also prepared a map showing the propagation coverage for his company. And so, Mr. Balzano, if you could give your name and address and describe your special background?"

Nicholas Balzano: "Yes. My name is Nicholas Balzano. I'm employed with (inaudible), 59 Beaver Brook Road, Lakeland Park, New Jersey. I have a Bachelor of Science in electrical and electronics issued in 1987 from the State Institute of (inaudible) in Italy and I have over 13 years of experience in the wireless industry, specifically I work for 10 years for Italtel in Italy and for the past three years I've been working with (inaudible) in the United States as a consultant for Omnipoint Communications."

Lawrence Re: "Thank you. I've submitted Mr. Balzano's curriculum vitae. And you're fully familiar with Omnipoint's network here in the town of Riverhead area?"

Nicholas Balzano: "Yes."

Lawrence Re: "And your system works in a similar fashion to Verizon's, Natalie Noehle described how the system worked?"

Nicholas Balzano: "Very similar."

Lawrence Re: "Have you prepared a map that shows Omnipoint's existing coverage and the coverage that would be provided by this site?"

Nicholas Balzano: "Yes, I did."

Lawrence Re: "Okay. Could you describe the map to the Board?"

Supervisor Kozakiewicz: "Are you getting them on the record, Barbara? Is that still working on the record? Okay."

Lawrence Re: "The map itself is a map of much of the town of Riverhead."

Supervisor Kozakiewicz: "I'm sorry. We're not picking this up for the record. So you're going to have to go closer to the mike."

Lawrence Re: "And then I'll turn- "

Supervisor Kozakiewicz: "And I'm sure the audience can't hear you so I think maybe if you can stay closer to the microphone so they can hear the comments as well."

Lawrence Re: "Mr. Balzano, the map that is in my hand that we'll be offering in as an exhibit is a map of the town of Riverhead that shows with blue dots your existing sites in the town of Riverhead?"

Nicholas Balzano: "Yes."

Lawrence Re: "And it identifies the location and the height of each site?"

Nicholas Balzano: "Yes."

Lawrence Re: "And the red dot signifies the location of the proposed site?"

Nicholas Balzano: "Yes."

Lawrence Re: "Okay. Now the first overleaf shows green coloring and that coloring depicts the coverage that now exists-reliable coverage in the town of Riverhead?"

Nicholas Balzano: "Yes."

Lawrence Re: "And then the second overleaf is the coverage that would be provided by this site?"

Nicholas Balzano: "Correct."

Lawrence Re: "Okay. Let me bring this up so that the Board can see it. Should I turn it around this way now?"

Supervisor Kozakiewicz: "Do you have any more questions with-no? Okay."

Lawrence Re: "Mr. Balzano, if this application were to be granted would Omnipoint be able to eliminate its service gap in the Centerville and provide reliable service to the area indicated on the map?"

Nicholas Balzano: "Yes."

Lawrence Re: "Any other questions of Mr. Balzano?"

Supervisor Kozakiewicz: "No. You're going to ask or are you going to offer that map- "

Lawrence Re: "Yes, I am."

Supervisor Kozakiewicz: "-- for evidence?"

Lawrence Re: "Yes."

Supervisor Kozakiewicz: "Okay. It's accepted."

Lawrence Re: "Thank you. I also have that I'd like to submit, a report prepared by Pinnacle Telecom Group that assesses the radio frequency emissions of the proposed site and compares it to the FCC standard and concludes that the site will be within the limits set by the FCC, in fact, hundreds of times less than the limit. I'd like to submit that. And I have Dave Collins here of this firm if you have any questions about the report or any questions about that statement."

Supervisor Kozakiewicz: "We'll accept- he is here to testify if there is any questions, correct?"

Lawrence Re: "Yes."

Supervisor Kozakiewicz: "Okay."

Lawrence Re: "My last witness would be Michael Lynch, licensed real estate appraiser. Mr. Lynch, would you give your name and address?"

Michael Lynch: "Yes. Good evening. Mr. Supervisor, Members of the Board, my name is Michael Lynch. I'm a state certified real estate appraiser. My address is 294 New York Avenue, Huntington. I'll be as brief as possible.

I prepared this graphic display- pardon me, I'm just going to go back here.

I prepared this graphic display that depicts the subject property as well as the surrounding neighborhood. These photos were originally taken back in December of '01 for the original hearing before the Planning Board. This revised hearing, of course, is the towers now further south from Sound Avenue.

The first photograph depicts the subject clubhouse and parking area within the Cherry Creek Golf Links. As you know, the subject property is situated on the south side of Sound Avenue. It's approximately 1630 feet west of Doctor's Path in the Hamlet of Riverhead. It's comprised of 166 acres and it's within an A Agricultural zoning district.

Photograph 2 is a view of the maintenance yard which is approximately 800 feet north of the proposed monopole site.

Photo 3 is a if you're looking from the maintenance yard south towards the vicinity of where the proposed tower would be situation.

As testified, the tower will be in the shape of a flagpole. It will be 130 feet high and the Verizon and Omnipoint cellular antennas will be completely concealed within the structure itself. There will be a 50 by 50 foot compound that will also house the associated electronic equipment for the telecommunication sites.

Photo 5 is a view of the sod farm which is adjacent to the subject golf course to the east running along the westerly side of Doctor's Path. And photo 6 is a view of the farmland immediately to the west of the subject site on the south side of Sound Avenue.

Photo 7 and 8 are views of the single family dwellings which are surrounded by the golf course on the south side of Sound Avenue. Between these two homes is the maintenance yard and approximately 985 feet south of the residents further to the east on Sound Avenue, will be the proximity to the proposed telecommunications tower.

Photo 9 is a view of farmland opposite the subject to the northwest on the north side of Sound Avenue.

Photo 10 is a new housing development which is directly opposite the subject site to the north, on the north side of Sound Avenue. This is known as the Soundview Meadows and it will be comprised of new single family homes priced from roughly \$400,000 up to \$470,000. The photograph does not actually accurately depict. There's a large wooded buffer running along the westerly frontage along the Soundview Meadows development and this particular screening does help to obscure the view of not only the golf course but of the proposed telecommunications tower.

Photo 11 is of the townhouse complex which is known as the Willow Ponds and that's northeast of the subject on the north side of Sound

Avenue.

And the last photograph is of newly constructed clubhouse on the south side of Reeves Avenue opposite the subject site to the south and that will be a new 18 hole golf course and that particular picture was taken this past Friday. The other 11 photos were taken back in December of '01. However, in revisiting the area and subject site, they do accurately depict the subject neighborhood.

Based on the fact that this new flagpole will be approximately 985 feet south of the nearest residence on Sound Avenue, it will resemble a flagpole. There's very few of these types of structures on Long Island. They are- the residents from my experience are more pleased to see these type structures as opposed to a typical monopole with a conventional triangular platform.

Again, unless you really know the technology that exists there, the typical homeowner would not know that this is a telecommunications facility. And, again, because of its distance from the nearest residence and within the interior portion of the golf course, I don't feel that this proposal, if granted, will result in an altering of the central character of the neighborhood or adversely affect property values."

Lawrence Re: "Are there any questions of Mr. Lynch?"

Supervisor Kozakiewicz: "Nobody? No."

Lawrence Re: "Okay. I have two last submissions and then I'm finished. I have Mr. Lynch's qualifications and I also have Mr. Balzano's affidavit that he referred to in his testimony (inaudible)."

Supervisor Kozakiewicz: "Okay. They are made part of the record."

Lawrence Re: "Thank you."

Supervisor Kozakiewicz: "Is there anybody who would like to address the Board? John Zilnicki. John Zilnicki. John Zilnicki."

Scott DeSimone: "Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?"

John Zilnicki: "I do. John Zilnicki, Riverhead, 3747 Sound Avenue, the house in the picture that you saw up there. I'm no expert

on photography. I only usually buy the ones at CVS or Waldbaums but, I don't know, I can take better pictures than that. I mean those are those pictures there look like they're far away. You must know how to do real good tricks with photography. I mean, they look like something out of Iraq they shot.

One of the things there, I live right there. Sound Avenue is- was always said to be a historical corridor, agricultural. There was all kind of ideas years ago to make the road wider and stuff like that. They don't even want it to be commercial and maybe it's time to get the historical corridor people active again.

This will change the image of the road or the agricultural area. I thought it was Agricultural A area. Cherry Creek wants to make it something different.

I would like to know what Cherry Creek stands to make out of this. Everybody is talking. I have to live there. I have to look at this. Our farm is on the west side of this. We have to look at it. I saw when the towers were up. They were very obvious. That's why I'll go back to the photograph. You ride down Roanoke Avenue, you didn't take a picture in a clear spot; you didn't take a clear picture on Doctor's Path site. Those towers were very visible that day. Even that flag was visible.

They say it's 985 feet. Is that from Sound Avenue or is that from the back of my house? Because my house, I think I have about 280 feet. Now that would make it 685 feet or 700 feet back. Am I right?"

Supervisor Kozakiewicz: "John, what we'll do is we'll ask them to respond. So if you direct your questions to us, we'll ask them to take notes so to the particular questions and then respond."

John Zilnicki: "Okay. How come they didn't use a realtor from the town of Riverhead for appraisal or assessment also? What is the diameter of this pole going to be? And do we have any of these towers in the town of Riverhead now?"

Supervisor Kozakiewicz: "Actually, this would be, I think, the first fully- where they would have the antennas inside the pole. The other poles we have are what they've referred to as a typical cell tower with the triangular tops on them."

John Zilnicki: "Yeah. So it's fully enclosed?"

Supervisor Kozakiewicz: "The- as I understand it and as what's been testified to today by them, the antenna are located inside the flagpole. The dimension is a question we'll ask them to respond to, you know, what is the width of the pole or the diameter, the radius."

John Zilnicki: "All right. The other question is what is their- with all these towers and frequencies, is there going to be high voltage? Is there anything that deal with people's lives or cancer? What about the people that golf there continuously? I'm sure it might have an effect on some people thinking about going golfing, not worry about cell towers or telephone service."

It's such an agricultural area, I don't know what's the big concern about the cell tower itself and the communication where it's not densely populated. Put it in another area. Why don't you put it closer to the Sound? The town owns a water tower up on the Sound in Baiting Hollow. Why not go over there? Beautiful spot, that's why it's not over there."

Supervisor Kozakiewicz: "Actually, we do have co- I mean we do have cell tower companies that do come to the town of Riverhead to locate their improvements on water district tanks and that has happened and we've done that in the past. Off the top of my head, I don't think there is any at the Baiting Hollow location."

John Zilnicki: "Maybe they should think about moving it closer to Reeves Avenue. There's not many people living on Reeves Avenue, then again, Supervisor- but, anyway."

Supervisor Kozakiewicz: "All right, John. We'll talk later."

John Zilnicki: "Yeah. But, otherwise I have some feelings against it. All right. Thank you."

Supervisor Kozakiewicz: "Thank you. Mr. Hartman, then Joann, there's a lot of you. If you wish, I'm not sure how long Mr. Hartman will be. You can sort of queue up and, you know, when you're ready to testify."

Robert Hartman: "Robert Hartman, Sound Avenue, Riverhead. Absolutely. I think this is just what the town of Riverhead needs. We've got most of the traffic running up and down Sound Avenue at 60 miles an hour and half of them are on cell phones now. And I think this will very much facilitate the other half to get on cell phones and, boy, we'll be all set up in that area."

Now, really- "

Supervisor Kozakiewicz: "The problem is the record is not going to be able to take down the sarcastic tone that accompanied those comments, so let the record so note."

Robert Hartman: "No, really, I have mixed feelings coming here tonight because the owners of the golf course I've known them most of my life. They're good friends."

Supervisor Kozakiewicz: "Yeah, as a matter of fact, I noticed you sat right next to them."

Robert Hartman: "Yeah, that's right. It isn't them, I don't believe. It's the communications people. Now, I moved into Sound Avenue close to 50 years ago now. And I tell you, if I wasn't in my yard, I was out in the farm yard right there and the first couple of years I was there, if we happened to be working right around the yard, you'd hear a car come down the road, jeez, you'd stop whatever you were doing. Holy gee, look at that. That's the truth, honest to God. That's the way it was."

The way it is today, in January and February, I've got to wait long periods of time to pull out of my driveway. And that's the way it is today.

Now, Sound Avenue is a nice road. Every time you read about it in the newspaper, scenic Sound Avenue. Gee whiz. A few months ago in the Newsday on a Sunday, they had a big picture of the road right in front of- just happened to be in front of my farm. Beautiful, scenic Sound Avenue. Well, that's very nice but it's changing and this town, Town Board, Planning Department, not to everybody's agreement but they've been pretty hard on a lot of things to keep Sound Avenue pretty rural and pretty scenic.

Some of them I don't agree with but by and large we're doing a good job protecting Sound Avenue. Now, I'm semi-retired now and I'm riding around there all day long. I've seen them a few months ago or whenever it was with the big boom out there. Why, for goodness sakes, it was- just stood out like a sore thumb. And I go past many times a day. It just stood out like a sore thumb. Of course, it was painted orange, too. But even if it wasn't, you would have spotted it out there.

Now, John Zilnicki who just testified, has the farm to the west

of it; I have the farm to the east of it. Both of us over the years have farmed that farm there. And we know it all. We know it foot for foot and we know what it looks like on our farms. Like he said, those pictures, I've got three cameras. I've taken pictures for 50 years. I can take them kind of pictures, too, but I can also take them that really tell a story, too. It's just like a painting. The painter can paint that picture any way he wants.

But I live there and farm there and I farmed that land, too. So we know all the looks from every angle of that place. And I love some of these people that come in and say well, go ahead, it's nothing but agriculture. It's agriculture this side, that side, all over. But the last time I looked around, all that agricultural land had its development rights on it, too.

People have owned that land for many, many years and that's their retirement fund there. I think the Town Board has got responsibility to protect landowners from anything that might devalue that land in any kind of shape or form.

But getting back to Sound Avenue, hey, I know every inch of that land around there and I spot them things just like that. Now, Sound Avenue is a scenic route, even though it's crowded these days. People ride down there, I mean, all they're doing is looking and you're telling me they ain't going to see this pole? I don't care how they camouflage it, they're going to see it. And I don't think that's the kind of stuff we want that close to Sound Avenue.

They're giving me some footage, that's in dispute, too. But if they want to put it back there, I tell you, in my mind if they really wanted something nice and it would look natural, put it right up by the clubhouse out there and keep a flag on it. What's more natural than a golf clubhouse with a big flagpole? Wouldn't that look more natural?

And if that wasn't good enough, I'd go straight back. They own another golf course on the back road. And once you get back in there, there's plenty of woods back there, they're got the golf course all in the woods. You put that up. Let it stick above the trees. I would be very inconspicuous down there. You wouldn't have that heavy traffic from Sound Avenue seeing it. And it would actually be further away from Roanoke Avenue to seeing that than I believe it would be from Roanoke Avenue on this end. I could be wrong there, but that's my feeling.

So I just think we ought to keep it off Sound Avenue. And I'm sure you guys are smart enough negotiators that wherever you site that pole, if they're telling you it's all inside, you get a signed affidavit that there can never be anything on the outside of that pole. You know, two years, five years, ten years. Oh geez, this don't work anymore. We need this boom coming off. You caught on now, didn't you?

But, you know, I- it just- we're doing too many things to create nice views along Sound Avenue in my opinion. All that land around it has development rights to it. It ain't going to stay farmland. Who knows how long it's going to take. It may take 20 years, it may take 50 years but the tower is going to be there. Whatever happens I'll be long gone probably, but that still has no bearing on it. There's people that own development rights on there and they could start tomorrow to build something on it if they wanted to without somebody spoiling the value of their view.

You know and I use that view because a lot of people picked up on that around Riverhead over the years. The scenic views. Oh, the scenic views. Beautiful ain't they? But they're looking at other people's property that break their neck all their life to farm that land and they're keeping them scenic views there. Who the hell are they to say they have to have those scenic views? They don't own those scenic views. Letting me vent a few things out tonight- "

Supervisor Kozakiewicz: "Yeah, I was going to say I think we're going a little bit afield so because we're really- we're- I know where you're coming from and I know you are obviously impassioned and speaking from the heart as far as your concerns about the development rights, the property rights- "

Robert Hartman: "You know, I don't mean (inaudible) anybody on it, but I just don't believe it belongs that close to Sound Avenue."

Supervisor Kozakiewicz: "All right. Thank you."

Robert Hartman: "Thank you."

Supervisor Kozakiewicz: "Sandra Mott."

Scott DeSimone: "Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?"

Sandra Mott: "Yes, I do. Sandra Mott Riverhead. We haven't been here forever. We don't own any property. I don't know what farmer owns what but I know from listening to what they had to say, I'm just going to repeat some of their points but I agree with all that was said prior to. I'd like to know how much Cherry Hill is being paid for the placement of this tower. Barbara, I think, asked how many people are actually utilizing the services of these two companies.

And I'd like to know whether these companies since we are bringing up security and the need for people's ability to reach out and touch each other, what kind of community outreach do these companies have in regard to providing free cellular phones for people who are in need? We have a phone on the wall. We don't have a cellular. We don't have a mobile, we don't have a beeper. But we sure have a hell of a lot of additions to our bill for everything else that everybody else is utilizing in the country, on our telephone bill.

In addition to that, you're indicating that they're co-locating just two companies and it can go up to five. That's a great cut in overhead. First it's 50% with the two of them, they cut the costs. If it goes up to five, they're only paying 20% each. Meanwhile, they're generating quite a bit of money for their individual companies as they go along. And, again, I can guarantee you our phone bills will not be going down comparably.

And suppose they deregulate? I think the phrase was up-powering the facility, that they couldn't broaden the spectrum of their- "

Supervisor Kozakiewicz: "Power- "

Sandra Mott: "Pardon me?"

Supervisor Kozakiewicz: "Power up."

Sandra Mott: "Power up, pardon me. At some point, will they be able to if they're de-regulated? And there's a need and we can all go back under the National Security- Homeland Security or whatever the hell they want to apply it for.

And, in addition to that, electro magnetic fields. They do cause illnesses. I worked for a state agency that had in its contract that women who worked in front of a computer when they were pregnant could transfer away from that position. We have a very large incident of

breast cancer, prostate cancer, colon cancer, benign tumors that we can't even consider the numbers. Because they're benign they're not even registered at a tumor center, county location.

In addition to this, let's see, my favorite subject as you all know is the environment. Migratory birds fly probably north and south on this route. I see an awful lot of them settling and resting on the open space and in what woodland we still have left that hasn't been cut down as yet. What kind of effect will it have on the migratory birds that pass by that quite a few should be interested in since there's a reduction in numbers.

And about the negative impact on an individual's home that it won't affect it. In an appraisal (inaudible) I had, you have to advise the people of any kind of negative influence, of any kind of circumstance in the area during your appraisal as to what's going to reduce the value of that house. Now if this thing is under stealth coverage of a flagpole, people buying in won't even know it's there. Maybe they want to live there. But they don't know that. And if you get someone from out of state who's new to the community and selling and even if you get local people and people don't ask what is that tower in the field over there, that can negatively affect their home, not to mention their health as I indicated.

So you have a lot of issues. And that fact that not all of us were born and raised here shouldn't be pertinent. We're all here now and anticipate being here for a while. So I really think that these concerns should all be answered and before we leave because I know how these things go. Time runs by and these gentlemen only sit down and answer one or two questions and the other issues get brushed aside.

The only green on that map probably goes into their pockets. I think they have a most appropriate color for their mapping, green. I bet they make a hell of a lot of money. And we're not going to have any satisfaction from it. Thank you."

(At this time, Scott DeSimone swore in the next witness.)

Paul Drobnecki: "I do, sir. Thank you and good evening. My name is Paul Drobnecki and I live at 112 Sandpiper Drive in Riverhead and that happens to be in Sound View Meadows for some of you who know, so I'm directly in visible range of the tower.

I'd like you to know that I'm an engineer by profession. I'm licensed by the FCC and I have about 29 years of practical experience

as an engineer in line of sight systems that operate at this radio frequency. So I have some idea of what this is all about.

I would just like to state for the record that I do have Verizon wireless service and I use it all the time. And I use it from my home which is again within visible range of the tower and although I haven't done any coverage studies, I don't seem to have any problem with coverage. So I was a little puzzled by the need for this tower in the first place.

The other thing that I know from my experience is that when we talk about these stealth towers, the company that I work for used to actually make some of these systems and I do appreciate that the applicant is making an effort to help the situation by concealing the antennas. However, I think it should be clear that these are not the average flagpole like you have out front. These are quite wide. Maybe not quite as wide as a silo, but they're not exactly flagpoles as we like to think of them.

The other thing is that I strongly disagree with the presentation given by Mr. Lynch that residents and homeowners like myself don't really care about this or how we might feel about it. We'd just like the Board to know that I feel strongly about this antenna. I do feel that, you know, cell phones are important. That's why I carry one and I'm sure that there are plenty of times that, you know, it's helped me and it's helped a lot of other people. But I think that the applicant should be more straightforward with the facts presented here and I would also like the Board to consider exactly where this antenna is located.

I thank you very much."

Supervisor Kozakiewicz: "Thank you."

(At this time, Scott DeSimone swore in the next witness)

Joann Zilnicki: "Yes, I do. My name is Joann Zilnicki. My husband, John, was the first speaker here before. When the crane was outside at Cherry Creek, it was very visible from my window. That's not something that I want to look at all the time. Supervisor, I don't think that's something that you're going to want to look at or your wife or your kids. That was not a pretty sight.

I went down Roanoke Avenue, I went down Sound Avenue. The crane and the balloon was very visible far down the road, so I don't

understand when they said you're not going to be able to see it because I could see it very clearly.

The last time I checked, Cherry Creek was a golf course. It was not a telecommunications center. I would like to know what is in for Cherry Creek. That's my big thing. What are they- I'm sure they're not going to just donate some property. They're going to be in it for the bucks.

I really don't want to look at this in my back yard. I don't think- for a safety issue, I don't think it's good for my family. I just don't want to see it there. They can move it someplace else, but they should think about the area that they're in first. I was never notified except for that letter that came out to some of the residents in there. Guys never came over and tell me anything about it. I don't think any of the owners would like looking at a tower in their back yard. Thank you."

Mary Beth Zilnicki: "My name is Mary Beth- yes, swear to tell the truth, the whole truth, and nothing but the truth- yes, no problem."

Supervisor Kozakiewicz: "That's the way to take charge, Mary Beth."

Mary Beth Zilnicki: "I know it by heart now. I am diagonally across the street from this so called- "

Barbara Grattan: "Mary Beth, just state your name."

Mary Beth Zilnicki: "Sure. Mary Beth Zilnicki. I am diagonally across the street from this so called flagpole and I take offense of the attorney and everybody else referring to this as a flagpole. It is not a flagpole. If it was, there's ordinances in the town designating how high a flagpole can go. This is a telecommunications tower. Hiding it with a flag or hiding it or painting it red, white and blue, no matter what you do is not going to change what this is.

Now, one gentleman with Verizon, my mother also is a Verizon customer. I've lived up there for 15 years and she calls me coming to my house and coming and going from my house and she's never dropped a call which is why I don't understand where the problem is coming from.

Also, my question also is with this water tower going in, there

is money involved in it, okay? I know for a fact that there are other telecommunications on the island and, for instance, Sprint has one and in one month they're paying 1350- \$1,350 a month for that rental spot. Nextel uses a different one. Another month, the fee is \$1,050. Over the course of the year depending on how many telecommunications are using this tower, there is big money to be found here.

My question is, couldn't this go on a water tower that is not in the vicinity of a public housing development, some place where it's not going to interfere with the family life, the (inaudible) and the vicinity. The children that are growing up- I have two children growing up there. How do I know that this is not going to affect them when they grow older to have their own children? We don't know those answers yet because all of this stuff is too new to us. We're still learning about it which is why one side said it's safe and the other side says it's not because nobody really has the facts as to what's going on with these towers.

I also think that another issue is, I know most of the locals might know this, Sound Avenue is lightening alley. Let's face it. The lightening storms that come down the Sound are enormous. Now I myself do protect my home with lightening rods at a great expense. Something this high is sure to attract a lot more lightening into the area. Yeah, it may hit that pole but if it misses it hits the poor guy's house next to it. These are things that I think we should take into consideration.

Now when I looked out my side window and my front window that day, that telecommunication tower is more than visible but you don't see a picture there on that map of my property. Thank you."

Supervisor Kozakiewicz: "Thank you."

(At this time, Scott DeSimone swore in the next witness)

Joan Griffin: "I do. Good evening, Joan Griffin, Baiting Hollow. I just have a couple questions about this also. The gentleman a couple of speakers ago mentioned it's really not a flagpole, it's just a large vertical- "

Supervisor Kozakiewicz: "He called it a silo."

Joan Griffin: "A silo. Okay. Just to get perspective on what 130 feet is, and you can throw numbers around all you want and 130 feet that doesn't sound that tall. From my understanding when they

measure buildings, every 10 feet equals a story so we're looking at a 13 story building in comparison, just to get height-wise what this is. What's the height of the average water tower, say the one by St. Isidore's in Polish Town? Roughly speaking- "

Supervisor Kozakiewicz: "I don't know. I don't know."

Joan Griffin: "I'm sure it's not 13 stories tall and that's a relatively tall structure. So we're looking at something this big, silo, huge, 13 stories tall, and I agree with all these other people, I don't live in the immediate area they're talking about, but it doesn't sound like a good thing for the area."

And, also, how wide is the historic corridor of Sound Avenue? Is it just Sound Avenue, the road, is the historic corridor?"

Supervisor Kozakiewicz: "Sound Avenue has been designated an historic corridor."

Joan Griffin: "But how wide?"

Supervisor Kozakiewicz: "I don't have that information, Josn."

Joan Griffin: "Okay."

Supervisor Kozakiewicz: "Why do you ask?"

Joan Griffin: "Well, if the historic corridor- "

Supervisor Kozakiewicz: "So your question is is it in the corridor or not?"

Joan Griffin: "Right. If it's a quarter mile each side of it, that's 1250 feet each way of the road. So they're building 985 feet they're saying from the Sound Avenue- "

Supervisor Kozakiewicz: "From Sound Avenue."

Joan Griffin: "-- that be inside the corridor, if it's a quarter mile. Thank you."

Supervisor Kozakiewicz: "You're welcome. Is there anybody else who would like to address the Board? If not, I would like to have some questions- yes, Art Binder, please."

(At this time, Scott DeSimone swore in the witness.)

Art Binder: "I do. Is this golf course- let me put it this way. Have they sold the development rights to the golf course?"

Supervisor Kozakiewicz: "If they did, they wouldn't have a golf course."

Art Binder: "If they didn't?"

Supervisor Kozakiewicz: "Right."

Art Binder: "Okay."

Supervisor Kozakiewicz: "If they did, they wouldn't have a golf course."

Art Binder: "In other words, that property does have development rights."

Supervisor Kozakiewicz: "That's what I understand."

Art Binder: "Okay. But it's- is the zoning in place for a cellular platform, cellular tower?"

Supervisor Kozakiewicz: "Our ordinance requires a special permit hearing, which is why we're here today."

Art Binder: "Okay. If- that being the case and if there was no quality of life objections to the project, is it not in the best interest of the town to use this as a possible TDR location to set up a project like this on the golf course? In other words, it requires a special permit. If it requires a special permit, why not go to the TDR bank and have the applicant purchase some rights from a farm owner in order to benefit (a) the farm owner and thereby alleviate some of the burden from the agricultural community and that's only assuming that the quality of life issues can be covered."

Supervisor Kozakiewicz: "By law, the government has adopted certain rules which deal with telecommunication systems, cellular telephone towers. What we did was at a local level adopted certain legislation which was designed to require a special use permit which was designed to try and encourage co-location and take in certain issues. The federal level has regulated this industry and has put certain requirements."

You've heard a lot of testimony tonight about, you know, certain emission standards, so long as it's below the FCC standard, there's certain presumptions that attach thereto. That was part of that discussion.

I think taking the whole TDR program and linking it to this, it doesn't mesh, it doesn't link up. The hearing here is really to try and determine if maybe there's other locations. We've heard that. Now that's a fair comment. Is there any ability to locate this use on an existing water tower or an existing church spire or something else that will provide for and fill the coverage gap that we've talked about. That's the purpose of tonight's hearing.

We don't have a mechanism to do the TDR's you suggest and I'm not even sure it necessarily even links in or ties in."

Art Binder: "The golf course owner would be the beneficiary of this project. The town wouldn't. The population in the area wouldn't. The land owners wouldn't. The homeowners wouldn't. I don't think- I don't think it's a- it's a win, but not a win-win. Somebody's winning and that's Verizon Communications. I think there has to be more than one winner in any kind of a proposal of this nature that affects so many people. Thank you."

Supervisor Kozakiewicz: "Thank you. Okay. Why don't Mr. Re come forward. I know there's a couple questions and I know Councilwoman Sanders has some questions with respect to the report you handed up from Mr. Collins. So I guess (inaudible).

First and foremost, the width of the tower."

Lawrence Re: "Yes. The pole will be tapered. It will be 41" in diameter at the base and 26 inches at the top. So when some of the people who compared this to a building or to a silo, there's no comparison. It's a little wider than a typical flagpole, but it's certainly nothing like the comparisons that were utilized by those who spoke just a few moments ago.

I would like to respond to some of the other- "

Supervisor Kozakiewicz: "As far as the other locations, the ability to look at other points."

Lawrence Re: "Yeah, there were a number of points. I think Mr. Zilnicki was concerned about the distance to his house and on diagram

A-3 in the plan submitted to the Board, it shows clearly that the proposed pole will be 960- 986 feet to the nearest spot on his house, the actual structure.

With respect to the diameter, I answered- "

Supervisor Kozakiewicz: "That was in which report?"

Lawrence Re: "It's in the plans that were submitted, A-3 of the plans."

Supervisor Kozakiewicz: "A-3 of the plans?"

Lawrence Re: "Yes."

Supervisor Kozakiewicz: "All right. So just for the record, that was the actual application submitted, the plans?"

Lawrence Re: "Yes. The site plan and elevations."

Supervisor Kozakiewicz: "Okay. Which are on file in the Town Clerk's Office."

Lawrence Re: "Yes."

Supervisor Kozakiewicz: "And it's 985 feet from his property line?"

Lawrence Re: "986. No, from his house."

Supervisor Kozakiewicz: "From his house."

Lawrence Re: "Yes."

Supervisor Kozakiewicz: "Okay."

Lawrence Re: "Okay. A number of people- "

Supervisor Kozakiewicz: "As the crow flies."

Lawrence Re: "Yup. Or as the (inaudible)."

Supervisor Kozakiewicz: "Okay."

Lawrence Re: "The- a number of people have asked about or

expressed concerns about health and as I had indicated before and I know the Board is aware, it is our burden to show that the combined radio frequency emissions from this site will meet or be less than the FCC standard. The report that we've submitted indicates that the combined radio frequency emissions from any point on the ground in the vicinity will be hundreds of times less than the FCC and I submit to the Board that once we make that showing, that in consideration of anecdotal comments by the audience would be impermissible."

Councilwoman Sanders: "That would be a perfect time for me to ask my question."

Lawrence Re: "Yes. Sure."

Councilwoman Sanders: "Does that only consider Verizon and Omnipoint? Does that- these conclusions also calculate the possible expansion for five additional providers?"

Lawrence Re: "No. We're- this is the applicant for Verizon and Omnipoint. However, I have handled many, many applications where five carriers were making application, and the figure is still hundreds of times less. I can ask- I can ask our expert what effect that would have but each contributes less than about a quarter of a percent of the FCC standard so you can see that even if all five carriers were located in the pole itself, it would be probably one percent or one and a quarter percent, plus they would have to go to the town and make application to co-locate."

Councilwoman Sanders: "So you're saying the five providers would still fall below the limits- in addition regardless of the amount of antennas as well because Verizon has "x" amount of antennas and Omnipoint has a different amount of antennas."

Lawrence Re: "Why don't we call up our expert and he can address that because I feel a little uncomfortable as a layman answering your question. Dave Collins has been sworn and, Dave, you're heard Councilwoman Sanders' question?"

Dave Collins: "Yes, I have."

Lawrence Re: "Why don't you put your name and address on the record and then respond to it."

Dave Collins: "My name is Dave Collins. I'm the manager of RF Services for Pinnacle Telecom Group which is an independent

engineering consulting firm based in Cedar Knolls, New Jersey."

Lawrence Re: "If you could answer the Councilwoman's question, please?"

Dave Collins: "In response to your question, we- you come up with a number in our report that comes in the neighborhood of .42%. That's more than 235 times below the limit that's allowed. Were we to increase that and put all- and by the way, the reason why there's room for five is in any general area in the United States, you only have about five providers of cellular service so there will never be a need to go beyond five which would answer your questions for anyone who was ever worried about antennas being placed outside. All right?"

If you were to just take Verizon's and Omnipoint's, one is PCS which is 1900 megahertz and the other is around 8 to 900 megahertz, they both have different allowable levels, because you'll see in the report that it's a shaped standard. It's not a straight across the board standard. It's shaped dependent on frequency.

But if we take the other three guys that are in this area that would go up there and just take that number and multiply it by two and a half, you'd be roughly correct and you'd end up with under one and a half percent so you're still running 67 times below the limit."

Supervisor Kozakiewicz: "What is the threshold or the limit that you keep referring to?"

Dave Collins: "Well, once again, it's a shaped standard. For cellular service which is 8 to 900 megahertz, that runs in the area of .6 milawatts (phonetic) per square centimeter of skin and for the PCS folks which would be Omnipoint, Sprint, that runs to 1 milawatt per square centimeter of flesh. And these are all added up, the various percentages. You take an exposure level of 20- 20 is high. An exposure level of one percent from Verizon which is a different standard than the exposure level for Omnipoint and they get one percent, the two added are still two percent. And then anything under 100% is deemed safe by the government.

And to put this into perspective. Someone asked that this is- that the wireless communications- one of the audience members expressed reservations saying we don't know enough about this yet, it's a new technology. We've had wireless communications since 1895 when Marconi invented it so it's been around for 108 years.

The reason you have television and radio in your home is those radio waves make it to your home through the air. They've been there since everybody in this room has been alive, pretty much. All right? It's not an issue. Anything that's electrical, the lights in this room, your kitchen at home, anything-- 12 people in a room is enough to produce an electrical current in the air that's measurable. All right? We measure kitchens.

There are people with enough wherewithal that are concerned about their households. So we'll measure their households with instruments to find out what the radio frequency level is. Kitchens run three to seven percent of the FCC limit. So in this particular case, stepping outside your kitchen, going towards the flagpole, you would actually go into an area of lower exposure."

Councilwoman Sanders: "Thank you very much."

Lawrence Re: "There were a couple of other issues that were raised. A number of people expressed concern that the golf course would be receiving rent. Of course, the golf course would be receiving rent. I would submit to the Board that the amount of rent is irrelevant to our burden which is to show that this is a- the least intrusive means to provide service to the people of Riverhead. Whether we are paying one million dollars or one dollar, shouldn't have any bearing on the Board's decision as to whether this application is a good one and that we meet our standard pursuant to the code.

With respect to the use of water towers, all the carriers use water towers wherever we can. It's less expensive and a lot more sensible to use existing structures where we can. If there were a tall building or a water tower within that search ring that was shown by- on the aerial map, we would flock to it if the town were willing to lease to us. There is no water tower in our search ring. There is no tall building or tall structure and so what we're doing is we're following the dictates of the code and we're attempting to do what the town has told us in the code, which is use a stealth structure.

There were some comments that there's a certain resentment that we're putting the antennas in a flagpole. Well, we're doing what the town suggests in the code. We're not intending to be disrespectful to the American flag. As a matter of fact, we indicated we'd put up the town flag, the golf course flag, or no flag at all and just leave it as a thin pole, but we're doing what the town suggests and to try and hide the antennas inside.

In fact, one witness, Sandra Mott I think it was, said well, what if somebody were to move to the area, they probably wouldn't even notice it's there and it would be unfair to them. Well, that's the whole point that they wouldn't notice it's there. I think the town wants us to do something where it's not noticeable, where it's not something that would have visual impact. And since Mr. Collins indicated it poses no health risk and if people don't notice it's there, well, then, there's nothing to be concerned about other than the fact that we're providing a service to the town.

You know, we get complaints- "

Supervisor Kozakiewicz: "Well, technically you're providing a service to your subscribers, not to the town. And on that I think that's a good (inaudible). I heard some comments from individuals who are Verizon cellular wireless users who have indicated that they have not experienced any problem with the so called area that you have come forward to say that there is a gap in coverage. Is there someone who can testify as to how you determine that there's a gap in coverage? What is actually done, because I'd like to hear that because we had two people at least tonight who said they don't have a problem."

Lawrence Re: "That was going to be the next on my list and Natalie Noehle, I think will address that concern."

Natalie Noehle: "Mr. Supervisor, we do try to provide what we call reliable coverage meaning, again, as I described in my testimony earlier that you can make a call, initiate a call from your phone, you can receive your call, and that you can maintain a call. Sometimes people experience what we call dropped calls. You're traveling along, the call is gone, the person is not longer at the end of the line. We also try to make sure that the quality of your call is within, of course being subjective but within what the customer perceives as a good quality call. Fifty percent of the time hearing words is not a good quality call. You may become accustomed to it because that's what you're accustomed to experiencing, but it's not generally what we like to provide as a quality call. You know- "

Supervisor Kozakiewicz: "My question is more exact. With respect to the area where you say there's a gap- "

Natalie Noehle: "Right."

Supervisor Kozakiewicz: "What do you do- what is the step by step analysis that makes you reach the conclusion- you've given us the

conclusion that there's a gap."

Natalie Noehle: "Yes."

Supervisor Kozakiewicz: "We have not heard how you arrive at that conclusion."

Natalie Noehle: "The way that the gap is determined on- and even as Omnipoint testified, is that we use certain software basically that simulate the characteristics of radio frequency waves, it takes into consideration the terrain of the area, the density and type of foliage in the area, not necessarily the height. We don't have- for Verizon we don't necessarily use building clutter for most areas and we- it simulates considering the height and the power output of the surrounding existing structures that are within our network, what the propagation of those sites are.

We have tested, field tested on several occasions what the software depicts as- the proposed or the existing coverage from those sites and what's actually determined by drive teams, people going out in the field and actually testing the call at specific distances and making test calls, for example to E-911, that the E-911 calls can go through more than 80% of the time- more than 90% of the time. We have discovered that from field testing so we provide-

Supervisor Kozakiewicz: "I didn't want to be maybe a little cynical or comical, but you don't- do you have someone who goes out there and says, can you hear me now? Can you hear me now or not?"

Natalie Noehle: "That's actually- "

Supervisor Kozakiewicz: "Because I mean- what we heard from the people here is that they call and they're saying can you hear me now and they're saying, yes, I can. There's no problem."

Natalie Noehle: "Actually, we do have a test vehicle that makes- that has phones mounted within it that actually make calls every two- I think it's two and a half seconds, initiating calls, keeping a duration of about I think it's like a 30 second call which is an average for a customer and testing to see if those calls do, in fact, go through, if they're maintained for the duration of that period of time. We test that. Generally we call it base line and we test that extensively throughout our system by ourselves and we have independent- independent consultants that do it."

Supervisor Kozakiewicz: "Are these records available and can they be produced for this Board?"

Natalie Noehle: "Base line is- there are independent- there are independent consultants that do base lining outside of our company. For this area, I don't think we- I don't know what base lining we have recently. We can do- we can provide- "

Supervisor Kozakiewicz: "So the answer is- so would your answer be that there's not any base line information available?"

Natalie Noehle: "Not with me now."

Supervisor Kozakiewicz: "Can that be produced or would- we'd like to keep the record open to have that record produced. I mean- there's a real question here. I mean I think what I've heard and what the Board's heard is that there's a real question of whether there's a gap in coverage as claimed by Verizon. I'm trying to ascertain, you know, we've had two residents, two parties address us today and I'm sure- I'm not sure how many other Verizon cell users are here and do you get complaints from Verizon users that say well, from Sound Avenue between Roanoke and Doctor's Path, I couldn't continue my calls, I dropped calls. Is that a record that you can produce for this Town Board to satisfy us that there is a problem in that area?"

Lawrence Re: "What we can do is produce drive test data for this area indicating the reliability or lack of reliability of telephone calls placed in this area. I also don't want to sound facetious but we certainly wouldn't be here with a cast of experts and- "

Supervisor Kozakiewicz: "I know that."

Lawrence Re: "-- if there weren't a problem."

Councilwoman Blass: "Could I follow up a little bit on that, Bob?"

Supervisor Kozakiewicz: "Yes."

Councilwoman Blass: "Quickly. Your original presentation was, I guess, before the Planning Board in December of 2001 and I was a member of the Board at that time and I was of the opinion then and I'm still of the opinion and further agree with the subsequent resolution that was submitted by the Planning Board in response to the referral

on this application that we really should be looking at a comprehensive location plan throughout the town, not just responding to individual applications that pick a site and somehow say this site fulfills this need. We should be looking at identifying all service gaps throughout the town and maybe the town should take a pro-active and say if that gap exists there, well maybe this site should be the preferred site because there is a building that could lend itself to that need.

And the Planning Board actually reserved its report and recommendation, recommending that this Board actually undertake that comprehensive study and further recommended that we should impose a moratorium on cell tower application approvals until such time as that comprehensive plan was done."

Lawrence Re: "With all due respect, the telecommunications act was enacted back in 1996. This is not new technology. And the Board has already studied this issue and has adopted a comprehensive section in its code addressing this issue. While we would certainly cooperate with the town in addressing future sites, this application has been pending for years and the telecommunications act says that a municipality is obligated to render its decision within a reasonable period of time.

We have a responsibility to our customers. I know that you may have read that a certain US Senator from this state has even suggested that the carriers be liable to customers for failure to provide reliable service and we're doing our darnest to try and attempt to work with the town, to follow each and every dictate in the town code as we have here, and we've been willing to work with the town for years on this application and to hear a suggestion that this be delayed further, I think is unfair to Omnipoint.

We've revised our proposal to address each item in the code, it's fully compliant, and we've done everything that the town has requested. This is the least intrusive means to provide service in the Centerville area. We are certainly willing to utilize and we have, we have a site on a water tower in the town of Riverhead. We're certainly willing to utilize water towers, church steeples, buildings if they're tall enough, and we do that all the time. We have literally dozens of such sites all across Long Island as does Omnipoint.

In this particular area, and the Board is more familiar with the area than anyone, this is an open area that's primarily agricultural

with some residents and a large golf course and another one that will be built to the south and the only way- "

Supervisor Kozakiewicz: "The golf course is built."

Lawrence Re: "Yes. The only way to address the coverage in this area is to build something and so what we've done is we've looked at the code and you recommended camouflaging it and notwithstanding some of the comments made by the audience, that's exactly what we've done and we've moved it back from Sound Avenue so I think we've done everything that the town has requested and we've been here before the town for two years now. I would like to call Mr. Heimel up because some people had questioned the methodology and accuracy of the photographs.

And I wanted to just address that in a little more particularity because I think there's probably no professional photographer who does a better job than Mr. Heimel and he's as honest as the day is long and I want to make sure that the Board realized how he went about doing this and what he does. Mr. Heimel, why don't you come up? There's a couple of people that made comments about the photograph and I think this is an important issue."

Larry Heimel: "When I took the photographs, the photographs were taken with a 50 millimeter perspective. And that's the lens that's recognized in photography as being the most natural perspective similar to the human eye. In other words, if you were to take a photograph with a telephoto lens, something that would show it larger than a 50 millimeter lens, you would be distorting the perspective of what the human eye perceives. This is very important because although you take a look at a photograph, you say I was there, I saw the crane and the crane looks much more impacting, there's two issues here.

First, the crane did not represent the flagpole. The purpose of the crane is to give me a reference point so that I can superimpose the flagpole in the crane's place. So to look at the crane and make a judgment on impact based upon that would be false.

Secondly, although when you look at the photograph it may not seem to be the same perspective as what you see when you stand there. We have to keep in mind that we're trying to mimic binocular vision with a camera and all of the research in photography that I've done and that's extensive and all of the research in the software which we use and we've used all of the contemporary, most sophisticated software, latest versions, all of that technology and all of the

literature states that the 50 millimeter perspective is that which is most similar to what the human eye sees.

Now what does that mean when you look at a photograph? We come here tonight and we're showing you 8 by 10 size photographs. That's not going to be the same size as what you would see when you are standing there. What that is telling- what that is depicting is within the photograph the relationship of all of objects withing the photograph are the correct scale to each other. In other words, the depth of field when you look at the flagpole, the objects in front of it, the objects behind it, are at the correct scale. You take a telephoto lens and photograph the same image, it flattens it and it's difficult to see the scale and relationship of all of the objects within the photograph.

If you took the 50 millimeter perspective and just kept blowing it up until you made a huge billboard, at some point, it would have the same size as what you're seeing in the field. If you took a hundred millimeter photograph, you would only have to blow it up half the amount because the scale of it is twice as great. But what happens is you start to compress the image and everything within the photograph is distorted as far as relative relationship to each other.

Now the particular photographs from- I don't have the gentleman's name who is- "

Supervisor Kozakiewicz: "It was John Zilnicki."

Larry Heimel: "Okay."

Supervisor Kozakiewicz: "Who questioned it. And I think if I could ask, if you took one of these photographs and you brought it up to a proportion where it's human size, then you're saying the perspective would be- "

Larry Heimel: "Most- "

Supervisor Kozakiewicz: "Similar to what- most similar to what you would see with the human eye."

Larry Heimel: "Exactly."

Supervisor Kozakiewicz: "Okay."

Lawrence Re: "Thank you, Mr. Heimel. There was a comment about

Sound Avenue and the historic nature of Sound Avenue. I'd like to submit a letter that we have received from New York State Office of Parks, Recreation and Historic Preservation which states that based on our review it is State Office of Parks- the SOPO (phonetic) opinion that your project will have no effect upon the cultural resources in or eligible for inclusion in the National Register of Historic Places.

We do this right at the outset to make sure that we don't run into a problem like that and I'd like to submit the letter.

There was a question raised about lightening and I'm no engineer, I asked Ms. Noehle and she said that the dome at the top, the little ball that's place at the top of the flagpole will deflect any lightening. If you have more specific questions, I'm not the person to ask; I'll bring Ms. Noehle up, but there should be no danger in connection with that.

There was another question with respect to migratory birds. I checked with our planner, Teri Elkowitz, who has done research and is familiar with this issue and if a pole is more than 200 feet and is lighted, then there is some attraction but less than that, there is no problem. Miss Elkowitz is here if you have questions regarding the migratory bird issue.

We've gone into everything. We've really exhaustively tried to do the right thing here and as I said, we studied the code very carefully and I think if you look at the code and look at the intent of the code and then look at all the cases that have come down under the Telecommunications Act, we've done everything that the courts suggests, everything that the town suggests, we've located the pole a thousand feet from the nearest roadway, we've located it almost a thousand feet from the nearest residence, we've camouflaged it into a pole and we've attempted- we've searched the area for existing structures. There are none within the search ring. And we'd be happy to provide drive test data that Natalie Noehle from Verizon had indicated.

So I think, you know, after a couple years that we've been pending that we would ask the Board to promptly grant our application so that we can provide service.

I at one point during the evening said providing service to the town. And I was corrected, not to the town, but to your customers. But many of our customers are residents of the town and while they are not here at the hearing, I think that they're the silent majority.

They're the people that call and complain when there's not a good coverage. Most don't call and complain, they just suffer it through poor service. If you were to buy any other electronic equipment and if the electronic equipment only worked 80% of the time, you would be down at the store returning it immediately and complaining. And that's why certain Senators have suggested that carriers be liable to their customers when they don't provide good service.

We're trying to do the right thing here in every respect and we've been, I think, very patient with the town and the town has been patient with us. We're simply asking that the Board grant our application at long last so that we can provide the service to our customers that they deserve.

And we'll submit the information that you had requested. I think I covered just about every issue."

Supervisor Kozakiewicz: "Are there any open ended questions that were not addressed? John, what was the question that you had asked?"

John Zilnicki: "Will the pole be lighted at night?"

Lawrence Re: "No."

Supervisor Kozakiewicz: "No, no. I think the- "

Lawrence Re: "We checked with the FAA and there's no requirement for this height in this location."

Councilwoman Blass: "Unless there's an American flag on it, then I guess it would have to be."

Supervisor Kozakiewicz: "Well, at night, yes. If there was an American flag it would have to have a light on it."

Lawrence Re: "If there was an American flag, we would have a light shining up on it if it's left up at night."

Supervisor Kozakiewicz: "Right."

Lawrence Re: "Correct. And we would defer to the town if the town would prefer that we not fly an American flag, we'd be happy to not to do. We could leave the flagpole as just a flagpole with no flag. We could fly a town flag or anything that the town requests.

And as far as the size of the flag, we'd be open to the town's suggestions on that, too. We simply want to make this so that it's as unobtrusive as possible."

Supervisor Kozakiewicz: "Thank you. Any other questions of stuff that we have not heard, additional testimony? If it's additional testimony, you've got to come up."

(From the audience - inaudible)

Lawrence Re: "Oh, yes. As a matter of fact, I checked on that. Yes, the carriers have all kinds of community outreach and as a matter of fact, I spoke with Natalie just a moment ago and for example Verizon donates phone service and phones to battered women throughout the area. They have a foundation where underprivileged people can apply for service. The employees of Verizon donate time to community projects all across the country, and Omnipoint has similar projects. And I'd be happy to give Ms. Mott my card and I can provide more detailed information. I can get that for her. But these- both Omnipoint and Verizon are- "

Supervisor Kozakiewicz: "I would also ask that you provide us that information so it can be made part of the record."

Lawrence Re: "Okay."

Supervisor Kozakiewicz: "Thank you."

Lawrence Re: "I'll submit it to the Board."

Supervisor Kozakiewicz: "Thank you."

Lawrence Re: "Thank you very much."

Supervisor Kozakiewicz: "If- is there anything else? If not, we'll declare the public hearing closed, the time- "

Lawrence Re: "Yeah, I have Mr. Heimel's resume. I don't think I submitted it before."

Supervisor Kozakiewicz: "That will be fine."

Lawrence Re: "Thank you."

Supervisor Kozakiewicz: "Let the record reflect that the time

of 9:31 p.m. has arrived. Declare the public hearing closed."

Public Hearing closed: 9:31 p.m.

Public Hearing opened: 9:31 p.m.

Supervisor Kozakiewicz: "The time still being 9:31 p.m., we will open up our third public hearing and, Barbara, would you read the affidavits of publishing and posting please?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on February 19, 2003, at 7:15 p.m. regarding the consideration of the purchase of development rights of 14.5 acres of agricultural- "

Supervisor Kozakiewicz: "Why don't we take a break? We have, Barbara, if you would, let the people exit because what's happening is people can't hear you. Is your microphone on, Barbara? Give it a tap, tap, tap. It's working."

Barbara Grattan: "It is now."

Supervisor Kozakiewicz: "Can you hear me now? Can you hear me now? How about now? Can you hear me now? Yes, it is because it slows down play."

Barbara Grattan: "All right, kids. This is it."

Supervisor Kozakiewicz: "Okay, go ahead, Barbara."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on February 19, 2003, at 7:15 p.m. regarding the consideration of the purchase of development rights of 14.5 acres of agricultural lands owned by Austin T. and Rita Fungeld located on the southerly side of Middle Road, Calverton, at \$30,000 per acre."

Supervisor Kozakiewicz: "Hoot, I'm going to turn it right over to you. I thought maybe we lost you at some point during the evening. I didn't see you out there. I said, oh, he became frustrated, he left."

Hoot Sherman: "I just want to turn it around a little bit."

Supervisor Kozakiewicz: "For the audience, Hoot. While he's doing that, this hearing is to consider the acquisition of development rights purchase of 14.5 acres of lands of Austin T. Fungeld and Rita Fungeld. This property is on the south side of Middle Road. It's west of the intersection of Middle with Deep Hole Road. Hoot, go ahead."

Hoot Sherman: "My name is Hoot Sherman from the Peconic Land Trust and what we're looking at today is 14.5 acres of development rights. The property itself is the property that is shown in yellow. It's an 18.5 acre piece of property of which Mr. and Mrs. Fungeld are going to hold out four acres so they'll sell the development rights on 14.5 acres."

It's- the tax map number is 600-100-3-10.3. It was appraised by Patrick Gibbons and his appraisal was dated January 3, 2003 and it was appraised at \$30,000 an acre and the Farmland Select Committee negotiated for the development rights at \$30,000 an acre, so the appraisal does, in fact, support what the offer was.

It is zoned Agricultural A. That piece right next to it in the light green is in negotiation now. Negotiations have been completed, there's been an offer and acceptance and that is on for the public hearing on March 4th, I believe. So it will put those two pieces together.

The other piece, the green one further to the west of that, it's a little piece. It shows on here but it goes off the map and that is piece of farmland that I believe Mr. Rottkamp is farming or one of the children are farming. So we're building an assemblage in that area."

Supervisor Kozakiewicz: "Very good. Any questions or any comment from people in the audience either for or against? Rita Hodun, please."

Rita Hodun: "Rita Hodun, Calverton. They're bringing in dirt and composting on that property. Now they said they're going to use 14 acres. Are they allowed to stockpile it? The dirt pile's been there this summer it will be three years. They have not moved it. As late as even in December, they were bringing compost in there that all comes as I understand from out of town. Now, can they- can that continue if the farm rights are sold or does that have to be farmed or how much can they bring out, just what they use?"

Supervisor Kozakiewicz: "New York State Ag and Markets Law

defines what's considered to be allowable agricultural practices, Rita. We would have to look at that. Can we get back to you on that question because off the top of my head, I don't know what all the allowable uses are enumerated."

Rita Hodun: "(inaudible) and what is coming in there and I think it's more than what they can put on that 14 acres."

Supervisor Kozakiewicz: "I think what (inaudible), there's a commercial type of use here that would take you outside the confines of agricultural use."

Rita Hodun: "I understand he's getting paid for those loads coming in there now. He signed the development rights and then he's going to put this stuff- they brought stuff in there and there was smouldering and burning."

Supervisor Kozakiewicz: "Well, I can tell you that if the Ag- presently the full rights are intact, as you know. So there would be nothing that would allow us under the auspices of the Farmland Select Committee to limit what's being done. Once the development rights have been purchased by the town or in the case when it's the county, there is a select- Farmland Select Committee which will deal with uses that are left and they must qualify under the Ag and Markets Law to be permitted. And we can regulate under those circumstances."

Your question which is the- it's compost and soil so just so we're clear. We will research the issue and we'll clarify that so that that will be made clearly an issue so if they are looking to continue that practice, it may be something that even if they qualify, it's something that we don't want to see happen."

Rita Hodun: "Well, my concern is also we use- we've all got wells there. What is this stuff- is this stuff contaminated? Where is it coming from? Nobody knows. We use wells. We don't have town water there."

Supervisor Kozakiewicz: "Okay- "

Rita Hodun: "If they're bringing in stuff that's contaminated, we are not- our wells are not going to be any good."

Supervisor Kozakiewicz: "Well, I doubt if it's contaminated but, again, this is the first time we're hearing this Rita, so we'll have to look into it- "

Rita Hodun: "Those trucks come in early in the morning and they dump that stuff."

Supervisor Kozakiewicz: "Okay."

Rita Hodun: "Because I've been riding up and down the road and they came in as late as December."

Supervisor Kozakiewicz: "Would you, therefore, be opposed to the sale of development rights in this case?"

Rita Hodun: "I'm not opposed to the sale."

Supervisor Kozakiewicz: "Okay."

Rita Hodun: "I'm opposed to what's coming in there and is it going to continue to come in there? I can't see him getting paid for the development rights and then bringing all the stuff there. Is it legal or is it right or is it allowed?"

Supervisor Kozakiewicz: "Well, I just want to make sure I understand your position on the record here, Rita. If the development rights are acquired, you would ask the Board to cease the operations. Is that correct?"

Rita Hodun: "The stuff coming in, yes."

Supervisor Kozakiewicz: "Okay."

Rita Hodun: "If it's farmed development rights, fine. But what I want to know is he going to continue to stockpile that stuff on that 14 acres? What's going on there?"

Supervisor Kozakiewicz: "We will ask that question and we will report back."

Rita Hodun: "Thank you."

Supervisor Kozakiewicz: "Okay. Anybody else who wishes to speak either for or against the proposed purchase of development rights from this parcel? Not seeing anybody indicate a desire to do so, declare the public hearing closed, the time of 9:39 p.m. having arrived."

Public Hearing closed: 9:39 p.m.

Public Hearing opened: 9:39 p.m.

Supervisor Kozakiewicz: "Are you ready for the last one?"

Barbara Grattan: "I am."

Supervisor Kozakiewicz: "The time still being 9:39 p.m."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on February 19, 2003, at 7:20 p.m. regarding the consideration of the purchase of development rights of 22 acres of agricultural lands owned by Mary Crowder located on the northerly side of State Route 25A, Calverton, at \$35,000 per acre."

Supervisor Kozakiewicz: "While Hoot is stepping up on this particular application, as- this is a 24.8 acre parcel according to the tax map, which 22 acres is apparently being considered for the purchase of development rights."

Looking at the map which Hoot has just turned around to the- I think it's to the west of this, there is already a large chunk of land that's been preserved, about 39.4 acres, that's in the county program."

Hoot Sherman: "Yup. There's a lot of acreage here and this big hunk is called the runoff area north of the runway (inaudible)."

Supervisor Kozakiewicz: "Yeah, this is also as indicated the northerly side of state Route 25A, but it's also known as Parker Road."

Hoot Sherman: "Yes."

Supervisor Kozakiewicz: "And with that, Mr. Sherman."

Hoot Sherman: "This is- Mary Crowder property is tax map number 600-76-2-2.5. It's zoned Industrial A. It was appraised by Steven Schuster (phonetic) in November- on November 1st of 2002 and it was appraised at a little bit more than \$35,000 an acre but the negotiated price that we agreed to- that the Farm Committee agreed to was \$35,000 and acre, so this is a bargain sale so that the town will save about

\$60,000 on a bargain sale. And Crowder will be able to take a tax deduction that will offset the capital gains because of the bargain sale.

It was in pumpkins last year so it's active agricultural land and that's pretty much it. It's surrounded by a lot of protected land. Like you say, it's got 38 acres right to the west of it and it's got a lot of protected land to the northeast and to the east of it."

Supervisor Kozakiewicz: "And the property is being rented presently, is that the case?"

Hoot Sherman: "I believe so."

Supervisor Kozakiewicz: "As far as we know, that's the plans to continue using it for that purpose?"

Hoot Sherman: "Yes, as far as I know."

Supervisor Kozakiewicz: "All right. Is there anybody who would like to address the Board either for or against this proposed acquisition of land from Mary Crowder? Not seeing anybody wish to do so, declare the public hearing closed the time of 9:42 p.m. having arrived."

Public Hearing closed: 9:42 p.m.

Supervisor Kozakiewicz: "That concludes our public hearings for tonight. We are going to take a little recess and we'll be back at five- 10 of- no I was going to say five of 10, give everybody time to get around. So we're going to recess and we'll come back at five of 10."

Recess: 9:42 p.m.

Meeting reopened: 9:57 p.m.

Supervisor Kozakiewicz: "We're going to resume. Actually, I've got to get comments on resolutions. We didn't open it up for comments on resolutions. You know, just like- you're right, something was missing. No comments. Well, I can ask that limited question, Andrea, if there's any comments on the CDA resolutions. We're going to resume. Any comments on CDA resolutions? You're sure? Any comments

on Town Board resolutions? Yes, one hand, Sid Bail."

Sid Bail: "I hate to hold Andrea up. Sid Bail, Wading River Civic Association. Resolution 215, the dredging of the Wading River Creek for \$200,000. Does- "

Supervisor Kozakiewicz: "Well, that's a conservative number which we wanted to make sure we had plenty as opposed to less and have to do this twice."

Sid Bail: "Right. But is that an indication that the suit that was started during the Thomas Jefferson administration, I think, has been resolved?"

Supervisor Kozakiewicz: "We have reached an agreement in principle with them. Now it's just a question of attaching some specs so that when we do finally put it into writing, we have an actual plan that depicts what the dredging will be and the other improvements. So- that's- we don't want to enter into an agreement and then a year later, two years later, five years later get into another dispute, well, we know, we only have to- we only have to dredge to an elevation of four when the plans show that it's an elevation of six. So that's where we are."

Sid Bail: "Thank you."

Supervisor Kozakiewicz: "You're welcome. Anybody else would like to address us on resolutions? If not, we'll adjourn the town portion and convene the CDA portion, the time being 9:58 p.m."

Meeting adjourned: 9:58 p.m.

Meeting reopened: 10:08 p.m.

Supervisor Kozakiewicz: "Go to the town portion."

Resolution #184

Councilman Lull: "Authorize service agreement for the Riverhead/Calverton- sorry, not Riverhead, for Calverton Sewer District. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #185

Councilwoman Blass: "Resolution #185 authorizes the Supervisor to execute an agreement with New York State Empire Development Corporation (ESDC) for Main Street Grant. This would be for \$25,000 for the construction of a restroom facility on the Peconic riverfront area. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "A comment, Mr. Supervisor, please. We will have an opportunity to see a design and a sketch of this facility prior to it being- "

Supervisor Kozakiewicz: "Never, never. No, of course, but this is the process to get us to the step where we can actually do that."

Councilwoman Sanders: "I just wanted to make sure. Thank you. Yes."

The Vote (Cont'd.): "Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #186

Councilwoman Blass: "This resolution authorizes the Deputy Tax Receiver to receive a stipend in light of the fact that they do Water District receipting in the Tax Receiver's Office. I move that resolution."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Can we change the comma after the 500 to a decimal possibly, please? Yes."

The Vote (Cont'd.): "Blass, yes."

Supervisor Kozakiewicz: "If the comma was one over, I'd be more concerned the other way, to the left. But, yes."

The Vote (Cont'd.): "Blass, yes; Lull, yes; Kozakiewicz, yes.
The resolution is adopted."

Resolution #187

Councilwoman Sanders: "Approves request for a leave of absence. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #188

Councilwoman Blass: "This resolution appoints a chaperone for the Riverhead Recreation Department. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #189

Councilwoman Blass: "This resolution amended a prior resolution that had incorrectly stated the starting date of a Maintenance Mechanic II in the Water District. I move this resolution."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #190

Councilwoman Blass: "This resolution appoints another Maintenance Mechanic II in the Water Department. That person is John Impellizzeri. So moved."

Councilman Lull: "And second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #191

Councilwoman Blass: "This resolution appoints a full time account clerk typist, that person being Carol DelVecchio. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, abstain; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #192

Barbara Grattan: "Councilwoman Blass."

Councilman Lull: "Barbara, I suggest you do 192, 3, 4."

Councilwoman Blass: "There's one- I can't do 4, but I will do 2 and 3."

Councilman Lull: "Okay."

Councilwoman Blass: "Let's see. Wait a second. Actually, I can do- "

Councilman Lull: "Do them one at a time."

Supervisor Kozakiewicz: "Just do them one at a time."

Councilwoman Blass: "Well, all right. Okay. Resolution 192 appoints a part time recreation aide to the teen center of the

Riverhead Recreation Department. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #193

Councilwoman Blass: "This resolution appoints a Park Attendant I to the Riverhead Recreation Department. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #194

Councilwoman Blass: "This resolution appoints a scorekeeper to the Riverhead Recreation Department. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #195

Councilwoman Blass: "This is the one. Mr. Supervisor, I respectfully request that we table this resolution. We will be amending the salary schedule for beach attendants and summer recreation program in general and- "

Supervisor Kozakiewicz: "Understanding that we're going to revisit or visit that issue, is there a motion to table?"

Councilwoman Blass: "This would be premature. Yes, sir."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "And second."

Supervisor Kozakiewicz: "Okay, moved and seconded to table."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is tabled."

Resolution #196

Councilman Lull: "It's a Highway Department budget adjustment. I suppose nobody is surprised. From appropriated fund balance, \$50,000 to snow removal. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Just if you're wondering why the Highway Superintendent wasn't here tonight, it's because he's at his office, he's working as we speak to clear up a lot- yes, he is. I spoke to him earlier tonight, Ron. He was there. They're trying to clean up Second Street, Main Street area, and remove snow so that people can get around."

According to his latest numbers, there was about 1100 hours of overtime spent to do the clean- the snow removal operations. They started around midnight Monday morning, Sunday night, and they worked basically through almost two days. They took a little break in between, but I thought they did a pretty good job.

The north/south roads were horrible Monday. As soon as they plowed through, they filled right back up. So they did a great job and a few people didn't listen. We pulled about 11 or 12 vehicles out of Edwards Avenue from people who went out joyriding and we had one- I'm not going to- I'm going to be careful in my wording, one person who got stuck three times alone on Roanoke Avenue but it's sort of- cause a problem. So, hopefully, people- I've got to say most of the public was great. They did what was asked, they stayed off the roads. There were a few who didn't listen. Yes. Yes, for the resolution."

Barbara Grattan: "All right. The resolution is adopted."

Resolution #197

Councilwoman Sanders: "Calverton rail spur improvement budget adoption. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #198

Councilman Lull: "It's a budget adoption for land acquisition and demolition expenses for Irma's Diner on West Main Street. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #199

Councilwoman Sanders: "Water transmission main at Calverton Park budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #200

Councilman Lull: "Dimola/Dalton farmland rights capital project budget adjustment. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #201

Councilwoman Blass: "This is a general fund budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #202

Councilman Lull: "Authorizes the town to join in the application of the subdivision map of Long Island Housing Partnership, Inc. for affordable housing Milbook Gables, East Main Street, Riverhead. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz."

Barbara Grattan: "The resolution is adopted."

Supervisor Kozakiewicz: "I didn't respond. I was just going to wait a little longer because this one's been kicking around so long, I was giving- no, yes."

Barbara Grattan: "The resolution is adopted."

Resolution #203

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post a notice of a public hearing in connection with a special permit of William and Frances Schaefer. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #204

Councilwoman Sanders: "Authorizes the Town Clerk to publish and post notice of public hearing for special permit of Paul Martin/Riverhead Commerce Park. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #205

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post notice of public hearing for special permit of KKNY, LLC (Krispy Kreme) donuts, Riverhead Centre. So moved."

Councilman Lull: "Approved. Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Supervisor Kozakiewicz: "We've got to have a public hearing first. You like Krispy Kreme, huh?"

Councilwoman Sanders: "Yes."

Supervisor Kozakiewicz: "Vote, please."

The Vote: "Blass."

Councilwoman Blass: "Yes. And that hearing is on March 18th at 2:05."

Barbara Grattan: "And they better bring donuts."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #206

Councilwoman Sanders: "Authorization to discard fixed assets. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #207

Councilwoman Blass: "This resolution establishes a petty cash fund for the Riverhead Recreation Department. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #208

Councilman Lull: "Reduces the performance bond of Birchwood at Wading River, New York, Section 1, formerly known as The Links at Wading River. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #209

Councilman Lull: "A resolution amending order establishing Extension #61 Riverhead Water District for Island Water Park. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #210

Councilwoman Blass: "This resolution authorizes the publication of a notice to bidders for improvements to Hallockville Museum, specifically the Cichanowicz House. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #211

Councilwoman Sanders: "Awards bid of one Godwin Dri-Pump Diesel Powered Dewatering Pump. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "And given the fact that we're going to probably have some snow melting later in the week, not too soon. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #212

Councilwoman Blass: "This resolution awards a bid on two Chevrolet Silverado pickup trucks for the Highway Department. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #213

Councilman Lull: "Take just a second. Councilwoman Blass indicated earlier that she had attended on behalf of the town and with others, a meeting in East Hampton with East Hampton town to talk about our landfill reclamation project. And it really is a forward looking project the town embarked on several years ago.

Tonight we are taking the next significant step, major step, in this reclaiming of the landfill and it is awarding the bid and we all swallow hard when we see that we're awarding a bid that's got \$25,894,274.50 but it is something that very few other towns across the state have embarked on and we serve as a model in this. I'm very pleased to begin the final phase here. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #214

Councilwoman Sanders: "Authorization to publish an advertisement for sealed bids for kitchen equipment and I would like to amend the issue of the News Review to be the Traveler Watchman. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #215

Councilwoman Sanders: "This resolution is authorizing the issuance of a \$200,000 serial bond for the Town of Riverhead, Suffolk County, to pay the cost of the dredging of the Wading River Creek in said town. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Yeah. Just to reiterate on comment with Mr. Bail earlier, Kenny Testa has been authorized to proceed forward with the actual plans and specs to make the permit to DEC. We have retained a surveying service to do all the sounding so that we know exactly what is out there so that we know the materials and quantities that need to be removed. That's something that's being worked on and I'm told from the surveyor we should have actual material amounts next week and this is something that we want to see wrapped up. So, yes."

Barbara Grattan: "The resolution is adopted."

Resolution #216

Councilwoman Sanders: "Accepts 5% security bond of Great Rock Golf, Inc. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #217

Councilman Lull: "Authorizes the Town of Riverhead to secure, demolish or remove unsafe structure pursuant to Chapter 54 of the Riverhead Town Code, this structure belonging to Delphine Booker and James Langhorne, 9 Zion Street in Aquebogue. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #218

Councilwoman Sanders: "This establishes 2003 recreational capital improvement project budget adoption. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #219

Councilman Lull: "Recreation program fund budget adjustment. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #220

Councilwoman Blass: "This is a Town Board special program fund budget adjustment. So moved."

Supervisor Kozakiewicz: "This one should be tabled."

Councilwoman Blass: "Okay, then."

Councilwoman Sanders: "Move to table."

Councilwoman Blass: "Okay. Motion to table. I withdraw the- "

Supervisor Kozakiewicz: "Is there a second to table?"

Councilwoman Sanders: "Second."

Supervisor Kozakiewicz: "Moved and seconded to table. Vote, please."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz,

yes. The resolution is tabled."

Resolution #221

Councilwoman Sanders: "It's a VITA grant program budget adoption. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "This is an educational program. It's a nutritional educational program for all ages. It's an awareness that's going to be sponsored by and conducted by the Nutrition Program. So moved."

Supervisor Kozakiewicz: "Second?"

Councilman Lull: "I'm sorry. Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Blass."

Barbara Grattan: "Oh, Sanders, I already marked you."

Councilwoman Sanders: "Yes."

The Vote (Cont'd.): "Blass, yes; Lull, yes; Kozakiewicz, yes.
The resolution is adopted."

Resolution #222

Councilwoman Sanders: "Approves request for a leave of absence. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes.
The resolution is adopted."

Resolution #223

Councilwoman Blass: "This resolution establishes the lead agency status as to the siting of a temporary portable asphalt manufacturing plant as part of the reclamation project at the Young's Avenue landfill in accordance with SEQRA. So moved."

Councilman Lull: "And second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #224

Councilwoman Sanders: "Amends the site plan approval resolution for Island Water Park. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #225

Barbara Grattan: "Resolution to pay bills."

Councilman Lull: "So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Blass: "Yes, to pay bills."

Supervisor Kozakiewicz: "Okay. Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #226

Barbara Grattan: "And we've got Resolution #226, authorizing the attendance of a detective at training course. Councilman Lull."

Councilman Lull: "So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "Second."

Supervisor Kozakiewicz: "Moved and seconded. Vote, please."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Supervisor Kozakiewicz: "That concludes the Resolutions. Now it's the public portion. If anybody wishes to address the Board, come on up. We've got a five minute rule. Rex Farr."

Rex Farr: "Rex Farr, Civic Association- Calverton Civic Association. I just have a question. On 213 you just passed, did I hear your correct, 45 million?"

Councilman Lull: "Twenty-six."

Rex Farr: "Excuse me?"

Supervisor Kozakiewicz: "Which one?"

Rex Farr: "The approval of the awards bid for the landfill. I thought it heard- "

Supervisor Kozakiewicz: "No."

Rex Farr: "Twenty-five."

Supervisor Kozakiewicz: "Twenty-five."

Rex Farr: "Twenty-five, thank you. Okay."

Supervisor Kozakiewicz: "Anybody else who would like to address- Sid Bail. Rolph, do you wish to-- okay."

Sid Bail: "Sid Bail, Wading River Civic Association. During the past, I guess, three months you've been considering or you've been discussing a proposal for aviation management at the Calverton facility. And I'm not here to speak whether it's, you know, for the company or the individual involved, but I recall about a year ago Mike Spindler from the Calverton Civic Association was here and he spoke-

gave you some suggestions some guidelines and two things kind of stick out in my mind.

Like, for instance I was at the work session Thursday, and I always get nervous when, you know, when you guys start mumbling among yourselves and the mumbles get lower and lower and then- "

Supervisor Kozakiewicz: "You should hear what we're saying."

Sid Bail: "I know. Right. Then it resulted in an executive session but, you know, but I think Mike's point that he made a year ago to you that if we go according to the existing zoning, and probably most people in the town, I think, would support the existing zoning and probably the referendum that was voted down by over a thousand votes showed that people want the kind of aviation operation that will be limited in some sense.

They're not anti-aviation and but they certainly don't want anything that they feel can get out of control. Mike in his letter to you last year talked about the importance of like rules and procedure, what kinds of things was he talking about, like hours of operation, restrictions on touch and go landings. It was a whole list of thing. You probably know them better than I do.

And he also talked about the necessity of like community input and whether it's this proposal or some proposal, some future entrepreneur in the future you select or come forward, I think these things are going to be addressed because I don't think it would be tremendously productive to cut and revive the heat that the whole aviation management has produced in the past.

So I hope that you would go back and, you know, review some of Mike's suggestions because I think they make a lot of sense. I think it would be productive for all involved. Thank you."

Supervisor Kozakiewicz: "Thank you. Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. Last Thursday News Review, I was reading the legal notices and all of a sudden I said, my God, are we headed for another sand mine? Has anybody seen the legal notice? I mean- "

Supervisor Kozakiewicz: "Which legal notice?"

Rolph Kestling: "Well, notice of formation of Calverton Sand &

Gravel Limited Liability Company. Filed with the Secretary of State of New York on January 3, 03. Now, at first I thought it was another one. Now it looks like it's only Calverton Industries changing their name to Sand and Gravel. Are you aware of that?"

Supervisor Kozakiewicz: "The fact that they formed a different LLC, are you presuming that there's a certain reaction or a certain thing that's going to happen?"

Rolph Kestling: "Yes. I mean well, I want to know is this going to affect these decision against Calverton Industry? They had to- "

Supervisor Kozakiewicz: "Nope."

Rolph Kestling: "Nope?"

Supervisor Kozakiewicz: "They signed a stipulation and they're bound by it- "

Rolph Kestling: "That's what I was worried about."

Supervisor Kozakiewicz: "I mean- they can form a new LLC. There's nothing that prohibits a company from forming an LLC. Forming an LLC does not in any way, shape or form, presume that they're going to do anything illegal or contrary to zoning."

Rolph Kestling: "So they're still obligated to what they signed for?"

Supervisor Kozakiewicz: "That's correct."

Rolph Kestling: "I want to ask you a question. That truck barn building, it was supposed to come down in 120 days. Now I asked you about it last December and you said you had your Town Attorney working on it."

Supervisor Kozakiewicz: "The Building Department issued a building permit to that building which we found out had been issued. They are required to submit a site plan. They are required to move it. We have- and I have talked to the Town Attorney's office and said, listen, if we can't gain any cooperation from them, go back into court. It opens up a lot of issues. It opens up things that may not be so beneficial to the town, may be beneficial to the town. They have been instructed to make sure that whatever our rights are under

the agreement, they are being adhered to.

Mr. Kestling, I know that you're very concerned about this particular application as all of us are. We're all concerned that they do the right thing. Part of it gets triggered by a site plan. All things get done by a site plan. We are still- they had submitted a site plan. The site plan got rejected because it did not comply or comport or meet the site plan standards. They've been asked to submit a new site plan. I was told that after this issue came up last meeting, that they were told they much submit one forthwith.

They know this is an issue that's being watched. They know it's an issue that we're concerned about and they also know that they've been told if they don't do the right thing, we'll go back into court."

Rolph Kestling: "All right. But it's all- this reminds me of the situation in Iraq. I mean they're playing patty-cakes there."

Supervisor Kozakiewicz: "Well, we haven't passed 19 resolutions yet."

Rolph Kestling: "As long as they're still obligated- "

Supervisor Kozakiewicz: "The agreement was- the agreement that was struck with the stipulation is what they must adhere to. There's requisites and there's requirements on both sides. To be fair, there is a site plan process that we have to go through and then there's a requirement that they submit a proper site plan to us and then do the work. No question."

Rolph Kestling: "All right. But I would suggest that the Town Board make it a business to look at legal notices. Now this is not the official paper so you have to go to the News Review, so you have to have a subscription to the News Review."

Supervisor Kozakiewicz: "My only comment is because someone files an LLC, it- I mean we're taking the approach- if I adopt what you're saying, Mr. Kestling, and I'm not looking to start an argument, but what you're suggesting is that any time someone forms a new LLC, we have to presume they're doing something illegal, if I adopt your philosophy. Right?"

Rolph Kestling: "Right."

Supervisor Kozakiewicz: "Okay. I just want to make sure- I

just want to make sure we agree on something here."

Rolph Kestling: "I told you once before, I don't trust anybody."

Supervisor Kozakiewicz: "Obviously."

Rolph Kestling: "When you fill out- when we fill out the cards for public speaking, I mean for the comments and all that, mine's usually the first card up there. And every time it's happened in the last couple weeks, I'm one of the last ones called. How does that happen?"

Supervisor Kozakiewicz: "I get them up to me and I put them in the order that I had them in, Mr. Kestling."

Rolph Kestling: "But she doesn't reverse them. You know, I used to work the production line and you get it and you turn it over when it goes to the next person. So I suggest--"

Supervisor Kozakiewicz: "We're getting somewhat petty, I think."

Rolph Kestling: "Okay."

Supervisor Kozakiewicz: "All right. Thank you. Mr. Binder."

Art Binder: "Art Binder, Baiting Hollow. Bob Hartman, Robert Hartman who was up here earlier and the Zilnickis and the other people were very concerned and rightfully so about that potential cell tower. There are many things that people say that it's okay, it won't harm the environment and other people disagree."

Nevertheless, it is a quality of life issue and I just want to remind the Board about another upcoming quality of life issue on Youngs Avenue, that being Crown Sanitation. You must be aware that there are now in excess of 1,400 signatures opposing this change of zone. As far as quality of life, there were four or five people that spoke about the cell tower and there's thousands that are involved in this Crown issue.

I just want to remind the Board that taxpayers is a taxpayer, a land owner is a land owner and a voter is a voter. Do the right thing. We're counting on you to do the right thing and I hope you do it."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board? Yes, hand in the back."

Lawrence Rehm: "Good evening, Lawrence Michael Rehm, Youngs Avenue, Baiting Hollow. I ask permission tonight of the Board if I may read into the record a letter that was handed to me today from a new resident who only found out yesterday about the Crown project on Youngs Avenue. Do I have your permission to read it?"

Supervisor Kozakiewicz: "If you can get it in in five minutes, absolutely, go."

Lawrence Rehm: "Not too long. This letter is from a Tony- excuse my pronunciation. I'll spell the name C-O-S-E-N-T-I-N-O. Dated today to the Town Board. Allow me to introduce myself. My name is Anthony Cosentino and I am a fairly new resident to the town of Riverhead. Due to business considerations, I will not be able to attend the town meeting on February 19, 2003. However, I would like to state my opposition to the Crown Sanitation application to rezone 14 acres on Youngs Avenue to Industrial and Agricultural.

The major deciding factor in selecting Baiting Hollow as my new home was the beauty and tranquility of the area and the country atmosphere I found here. I was actually pleased to learn of the Peconic Bay tax which seemed to verify the commitment to the town of Riverhead to maintain the peaceful, rural environment.

I sincerely hope that the Town Board acts on this issue and be guided by the reality that once we pave paradise we will lose it forever.

Thank you for listening. Signed Tony Consentino. 5 Southfield Road.

And may I state with the 2% Peconic Tax, it brought in \$12,700 on this one sale. I now ask Mrs. Grattan to take this in the permanent file. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board while you're handing that up? If not, we'll move to adjourn. Thank you. Have a good night."

Meeting adjourned: 10:40 p.m.

Barbara Grattan
Town Clerk