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Minutes of a Public Hearing held by the Town Board of the Town of Riverhead at Riverhead Town Hall, Howell Avenue, Riverhead, New York, on Wednesday, June 29, 2005, at 2:00 p.m.

**Present:**

Philip Cardinale,	Supervisor
George Bartunek,	Councilman
Barbara Blass,	Councilwoman

**Also Present:**

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

**Absent:**

Edward Densieski,	Councilman
Rose Sanders,	Councilwoman

Supervisor Cardinale called the meeting to order and the Pledge of Allegiance was recited.

Supervisor Cardinale: "Okay. This is the special Board meeting for public hearings; 2:00 p.m. on June 29<sup>th</sup>."

We have passed, as everyone knows, a master plan and the implementing zoning over the course of the last year and two or three months into this year and our staff and legal and planning has told us that a series of technical- what do we call them- loose ends, housekeeping resolutions- rather resolutions that need to be passed.

Preliminary to these, they- since they are albeit minor, they're changes in the text of law, they have to be preceded by a public hearing and we've schedule nine of them for today."

Dawn Thomas: "Yeah. And you could open the first and the second together I think because they really do go together."

Supervisor Cardinale: "Good. And the town attorney is advising me that the two- the one that was to be at- opened at 2:00 and the one that was to be opened at 2:05 could be heard together so I'd like to begin by calling the 2:00 public hearing which is to amend Chapter 108 Section 108-3 and also the second which is commencing at- not later than- not sooner than 2:05 which is to amend Chapter 108 Section 108-4 and the town attorney will summarize for us what those two- the first two public hearings are attempting to do."

Public Hearings opened: 2:25 p.m.

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Dawn Thomas: "The first public hearing is the amendment to Chapter 108, specifically Section 108-3 which is our definition section.

What we've tried to do is consolidate some of the definitions that were located elsewhere in the zoning code into one section to make it simpler to use, and also to include some general construction language which would help with any words that were not defined so- and just as a for instance, the word shall is mandatory, the word may is permissive, those kinds of general construction guidance are now included in our definition section.

The second public hearing deletes from Chapter- from Section- deletes 108-4 which was an interpretation chapter which is now covered in 108-3 under our new construction guidelines. And that's it."

Supervisor Cardinale: "Great, that was clear."

Dawn Thomas: "Thank you."

Supervisor Cardinale: "Okay. And in the process the deleted language has been deleted and the underlined language is being added, but I assume some of it is being added by taking it from 108-4 and sticking it in 108-3."

Dawn Thomas: "That's correct. Right."

Supervisor Cardinale: "Do you know what is new language in these two?"

Dawn Thomas: "Well, anything that is underlined represents new and anything that is deleted, stricken or has overstrike."

Supervisor Cardinale: "Okay. But when you- all of which is underlined is actually new language- "

Dawn Thomas: "Yes."

Supervisor Cardinale: "-- not language supplanted from 4 to 3?"

Dawn Thomas: "Correct. The only thing that was- that gave us guidance and interpretation was 108-4 and we really have elaborated on that quite a bit- "

Supervisor Cardinale: "Okay. I see what you mean."

Dawn Thomas: "-- to make it abundantly because we do have issues sometimes with just plain language, the meaning of simple words and how they're interpreted. So we spell that out now."

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Supervisor Cardinale: "I remember a hearing before the Zoning Board— an interpretation hearing before the Zoning Board of Appeals in which it was seriously argued, although to the credit of the Zoning Board of Appeals not accepted, that either/or meant both. I saw it with my own eyes.

Okay— "

Dawn Thomas: "Hopefully we avoid that kind of hearing."

Supervisor Cardinale: "This will help avoid that kind of silly hearing. Yes."

Dawn Thomas: "That's the goal."

Supervisor Cardinale: "Good. Anybody out there have a comment? Joe? Joe Gergela. This side, Joe. We changed you so we could get the picture in the background."

Joe Gergela: "Joe Gergela, Executive Director of Long Island Farm Bureau. Just a couple comments. I've been working with members of the Board and also with Leroy Barnes and Rick in discussing some of these technical amendments.

We are fine with the greenhouse definitions. Only one thing that I would just like to put on the record is that one of the things that we've talked about is repealing site plan provisions for temporary greenhouses and there was agreement that that would be dealt with strictly through the building department permit process.

I know that that is not part of your definitions but I just want to comment on it so it's not forgotten that that was what we had discussed together.

Apparently there are a couple of minor technical corrections to these definitions and I did talk to the board members. We are fine with those technical corrections.

That's all I wanted to say. Thank you."

Supervisor Cardinale: "Thank you, Joe. Yes, comment?"

Councilwoman Blass: "Actually, Phil, we should put those technical corrections on the record that we refer to."

Supervisor Cardinale: "Which technical corrections?"

Councilwoman Blass: "We had a discussion with Joe prior— "

Supervisor Cardinale: "Oh, okay."

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Councilwoman Blass: "-- to the meeting and George and I had picked up some corrections and Joe correctly referred to the fact that-- within these."

Supervisor Cardinale: "Okay. You mean within these, okay."

Councilwoman Blass: "Yes."

Supervisor Cardinale: "Okay. Within the two that we're considering, the one at 2 and 205-- 3 and 4. Did you have some amendments to-- that you want to read in?"

Councilwoman Blass: "Yes. On the garden center greenhouse definition, we were going to indicate that it requires a site plan approval-- or whatever terminology."

Supervisor Cardinale: "Yeah."

Dawn Thomas: "It's under greenhouse-- "

Councilwoman Blass: "Greenhouse, garden center."

Supervisor Cardinale: "Okay, I got it."

Councilwoman Blass: "On the last page."

Supervisor Cardinale: "And what do you want to do with it?"

Councilwoman Blass: "It requires a site plan approval, or however you want to say that."

Supervisor Cardinale: "Permanent greenhouse for wholesale and retail sales-- do you want to just add a sentence that says-- "

Councilwoman Blass: "Sure, that works. Such permanent greenhouse shall require site plan approval pursuant to what is it-- 108-62-- "

Dawn Thomas: "108-1? I don't know, whatever-- "

Councilwoman Blass: "Well, whatever the section is."

Supervisor Cardinale: "Yeah. Okay. The sense is that when you're getting a greenhouse for a garden center, such permit shall require a site plan approval pursuant to-- "

Councilwoman Blass: "Because it's a retail-- "

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Supervisor Cardinale: "Now, I think we should put it in here so we don't forget it. Okay? Shall require site plan use pursuant to whatever the section is. However- "

Councilwoman Blass: "It is 128."

Supervisor Cardinale: "128. However, we all know that's not the right place to put it. Because really we should put it in the law, not in the definition section."

Councilwoman Blass: "Right and we will."

Supervisor Cardinale: "We will. But this will remind us to do that."

Dawn Thomas: "We can do it either way. It's probably- "

Councilwoman Blass: "Do you think it's better to leave it in the site plan section?"

Dawn Thomas: "Well, it certainly should be in the site plan section. Whether you want to embellish this by (inaudible)."

Councilwoman Blass: "It makes it distinctive from all of the others."

Supervisor Cardinale: "Right."

Councilwoman Blass: "And that's the only reason."

Supervisor Cardinale: "It can't do any harm to put it in."

Dawn Thomas: "No, it wouldn't."

Supervisor Cardinale: "It isn't operative unless it's really in the site plan section. So let's put it in."

Dawn Thomas: "Okay."

Supervisor Cardinale: "What's the next one?"

Councilwoman Blass: "Under temporary greenhouse, George picked up, it should be polyethylene and not polyurethane."

Supervisor Cardinale: "Okay. Polyethylene- "

Councilwoman Blass: "Polyurethane, I guess, is for the varnishing the floors."

Supervisor Cardinale: "That would make an interesting greenhouse."

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Councilwoman Blass: "And- "

Councilman Bartunek: "Make it last a while longer."

Councilwoman Blass: "-- the last sentence on the same definition, we're going to cross out plastic and use the word polyethylene- no, excuse me, we're going to include the word plastic slash or polyethylene because apparently there are other plastics according to Joe other than polyethylene that are used.

So the plastic slash polyethylene coverage shall be removed and that sentence continues. The sentence right prior to that, in no instance will the temporary greenhouse or any structure with a polyethylene coverage- covering be used. That's another suggestion- for retail sales. And the sentence would continue. Or any structure- - in no instance will a temporary greenhouse-- "

Supervisor Cardinale: "Be used."

Councilwoman Blass: "-- or any structure with a polyethylene cover be used for retail sale of any farm or non-farm products."

Supervisor Cardinale: "Be used. Okay. Fine. Any others that you wanted to read in?"

Councilwoman Blass: "George, I can't remember. Is that all of it?"

Supervisor Cardinale: "Anything else that we're missing that was discussed. Okay. Is there any other comment on the 108-3 definition section, additions, and the 108-4 deletion, which are the subject of the 2:00 and 2:05 hearing? Comment from Mr. Cuddy.

I'm really glad you guys came because it would have been such a bad hearing if nobody came."

Charles Cuddy: "We're here to make it better."

Supervisor Cardinale: "Good. I'm sure."

Charles Cuddy: "I represent a farmer who had called me just recently, just in the last hour, and has asked that I appear on his behalf and would ask you because it's Wednesday afternoon, he's out farming in the field, would you keep this open for one week so he could have an opportunity just to write some comments. He has some concern about the greenhouse definitions."

Supervisor Cardinale: "Okay, good. And you can make sure that- - I have this here, you can take the amended language back and see if

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he has any problems with it now as it's been suggested to be amended by the Farm Bureau."

Charles Cuddy: "Okay. If he could have that, that's all he's asked."

Supervisor Cardinale: "Okay, great."

Charles Cuddy: "Thank you."

Supervisor Cardinale: "And we'll leave it open for a week, this hearing. Any other comment? All right, then the hearing to— that's 2:00 and the hearing to commence 2:05 having commenced at 2:25, it being 2:32, I'd like to close the verbal evidence on this hearing but leave open the hearings until a week from today for written evidence—written comment, I guess, is more of a precise—."

Public Hearings left open one week  
for written comment

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Supervisor Cardinale: "And that brings us to the next one which is the 2: 10 hearing to consider a local law to amend Chapter 108-46. I should point out before we commence this which is going to be at 2:33, that Councilman Densieski has called and has indicated that he is unable to attend due to a personal matter he had to attend with and I think Rose is going to attempt to get here late, but that is why they're not here."

Public Hearing opened: 2:33 p.m.

Supervisor Cardinale: "Anyway, let's open this third hearing, tell us what you know, Dawn."

Dawn Thomas: "This is a real simple housekeeping matter. It relates to the Industrial A Zoning Use District Chapter 108 and it simply strikes the prior Zoning Use District which was entitled Agriculture A and includes the new Zoning Use District that applies which is Agricultural Protective Zoning Use District."

Supervisor Cardinale: "The APZ."

Dawn Thomas: "Correct."

Supervisor Cardinale: "Okay. So it's just a demarcation of the correct new title for that district."

Dawn Thomas: "Correct."

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Supervisor Cardinale: "Anyone— it having been open now for a minute— anybody wish to comment on that seemingly straightforward change?"

If not, we will keep it open for a minute and a half and it now being 2:35, we're going to close it."

Public Hearing closed: 2:35 p.m.

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Public Hearing open: 2:35 p.m.

Supervisor Cardinale: "And move onto the fourth hearing scheduled for 2:15 having to do with Section 108-49 and could you tell us what we're doing there?"

Dawn Thomas: "This makes the same type of change in the Industrial B Zoning Use District, specifically removing Agriculture A name of that Zoning Use District and replacing it with Agricultural Protection Zoning Use District."

Supervisor Cardinale: "So it's the same thing."

Dawn Thomas: "Same thing."

Supervisor Cardinale: "In that area where it used to be one zone, it's now the APZ and we're designating that. Yes."

Councilwoman Blass: "I was just a little concerned knowing that we have intentions at some point of repealing Industrial B completely, that we're not in any way giving further life to this."

Dawn Thomas: "Well certainly by having a public hearing, no."

Councilwoman Blass: "No. Okay."

Dawn Thomas: "But you can choose not to adopt it or you can choose to adopt it. It would be up to the Board."

Supervisor Cardinale: "So, if I got this straight, the other one was Agricultural A and we're saying it's now called APZ."

Councilwoman Blass: "No, no, no. But we're not calling— it's not changing— "

Supervisor Cardinale: "What are we doing here?"

Councilwoman Blass: "This has to do with non-conforming lots in these Industrial districts and we're saying that in the prior zoning under Industrial A in the first one and Industrial B in the one we're

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talking about, any non-conforming lot that was used for residential purposes used to have to conform to the Agricultural Zoning Use District, Ag A. Since we don't have that any longer, we're now saying that it has to conform to the requirements of the APZ.

So this has to do with- we're not repealing these districts, these- Industrial A and Industrial B, remain and we're saying any non-conforming residential use in these districts has to comply with the standards of the APZ. It has to be a two acre lot basically is what we're saying."

Supervisor Cardinale: "Yeah. We're looking at the 2:15 hearing. Let me just look at it for a second.

You're talking- this section is the general lot yard and height requirements. In what zone?"

Councilwoman Blass: "Industrial B."

Dawn Thomas: "Industrial B."

Supervisor Cardinale: "Industrial B, okay, which I wouldn't know just by looking at it. No building shall be erected or utilized unless it is in conformance with the zoning schedule and made a part hereof. Okay. Any lot in a non-conforming residential use which could occur in Industrial B, divided to leave a non-conforming residential use as a separate lot, must be divided so that such residential lot complies with the provisions of APZ which means it's got to be two acres as you just said."

Dawn Thomas: "Two acres. Correct."

Supervisor Cardinale: "Any subsequent alterations or enlargements so the building shall comply with the requirements of the APZ zone. So if they were going to cut a lot that was in Industrial B for residential use?"

Dawn Thomas: "Well, if they had a two- let's say they had a five acre Industrial B property with a pre-existing non-conforming house on it- "

Supervisor Cardinale: "Right."

Dawn Thomas: "And they wanted to split that lot, the house- the lot with the house on it would have to be a minimum of two acres. That's what that says. And any further alterations or enlargement of the building would have to comply with whatever the setback requirements- "

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Councilwoman Blass: "See, we used to have it as Ag A but we have no more Ag A. It used to exist as it would only require a one acre and we're substituting our new agricultural zoning for our old agricultural zoning."

Supervisor Cardinale: "Oh. This actually existed as one acre but- "

Councilwoman Blass: "Yes, as Ag A."

Supervisor Cardinale: "-- now it's two acres."

Councilwoman Blass: "We're striking Ag A."

Supervisor Cardinale: "Okay. Wouldn't you have to do this in all the districts?"

Dawn Thomas: "We're doing it- well, wherever- and this isn't all of the housekeeping resolutions either so there may be others that come our way. But- "

Supervisor Cardinale: "And your question was since we also have under consideration- "

Councilwoman Blass: "Actually we're repealing this- "

Supervisor Cardinale: "Whether this should be passed in view of the pending overall consideration. However, the pending overall consideration which I just wrote to somebody who asked is going to await the supplemental environmental impact statement, the alteration of the consideration of the zone change- the supplemental environmental impact statement, we've got to do the language change in the master plan and you're going to give me a brief on- oh, and the SWAMP, the SWAMP is that what its called-- which we'll know where, if any, we're going to put these garbage transfer stations."

Dawn Thomas: "Correct."

Supervisor Cardinale: "So that's going to be awhile. So, I mean like six months I would think."

Dawn Thomas: "I would think."

Supervisor Cardinale: "So maybe we should consider this. But now I get it. Thank you for the explanation. Anybody have a comment on this other than mine? Okay, that's four."

Public Hearing closed: 2:39 p.m.

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Public Hearing opened: 2:39 p.m.

Supervisor Cardinale: "The next one is 5<sup>th</sup>, scheduled for 2:20, Section 108-51.2, setbacks for wood decks. Could you explain this one, please, Dawn?"

Dawn Thomas: "Yeah. As you can see, we're deleting references to zoning districts that no longer exist, Residence A, Ag A, Residence B, Residence C, Res D. The setbacks for wood decks and other accessory structures are now included in the specific zoning use district.

So if you have a house in the APZ or if you have a house in any of the other zoning use districts that allow residential uses, the setback for wood decks would be included in that section. So we no longer needed this and, therefore, we're proposing to delete it."

Supervisor Cardinale: "That's good- I understand that. Probably a better way to do it is to put it in all of them. But you know what's interesting? I always wondered when they told me that I didn't need- that 18 inches meant something around here? That you don't need a permit if you're not 18 inches off the ground or more with wood. If we knock this out, are we affecting that? Is there anywhere else in the code that says that which has always been the policy around here which I never understood but I was very happy about it at one time when I had to get a deck permit for some client and I realized that it wasn't really a deck, it was a patio because it was less than 18 inches off the ground. Anyway, do we have that anywhere else, that 18 inch thing?"

Dawn Thomas: "Yeah. It would be- I think it's (inaudible). It may not be in our code, it may be New York State Building- "

Supervisor Cardinale: "So that's my only comment, that we should make sure."

Councilwoman Blass: "Leroy is here. Maybe he- "

Supervisor Cardinale: "Leroy, can you come up? In regard to this housekeeping thing we're doing, we have indicated out setbacks for all the zones within the zones, so we're taking out a section that says for unenclosed residential wood decks no higher than 18 inches above natural grade, they cannot exceed the following setbacks. That's fine about putting- because they're elsewhere, the, you know, the amount the setback is. But is there anywhere else in the code where this 18 inch thing is stated?"

Leroy Barnes: "Not that I'm aware of."

Supervisor Cardinale: "So we have to state it somewhere."

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Leroy Barnes: "There's actually one section in the supplementary section- actually that was located in Residence C. (Inaudible)."

Dawn Thomas: "Right. That's where- "

Councilwoman Blass: "That's where this is coming from."

Supervisor Cardinale: "That's where it's taken out. And if I take it out, how- I need to put somewhere that you don't need a permit for a patio that's- a wood patio less than 18 inches off the- "

Leroy Barnes: "Well, that would be in the definitions under structure."

Supervisor Cardinale: "Is it in there?"

Leroy Barnes: "Yeah."

Supervisor Cardinale: "Okay. So we can take this out."

Leroy Barnes: "It wouldn't affect anything."

Supervisor Cardinale: "Okay, thank you. That's what I wanted to know. You answered the question. Thank you."

Okay, so that's what we have here. Anybody have a comment on it? That is truly a housekeeping matter with no significance other than surplusage. That's- what is it- 2:41. We're finished with that one. Unless somebody has a comment. They don't."

Public Hearing closed: 2:41 p.m.

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Public Hearing opened: 2:41 p.m.

Supervisor Cardinale: "So we're going onto the 2:25 which is on 108-64 Prefabricated Dwellings. Could you tell us about this one, Dawn?"

Dawn Thomas: "Yes. This came to our attention because it contains language, you know, old zoning use districts that no longer exist. If you look at C, Residence A and Residence B, that when we pulled it up there were some other cleaned up items we addressed which are just simplifying some of the language."

In A it says that the prefab dwelling complies with the provisions of local laws, ordinances, and rules and regulations of all

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state, federal and local agencies. We just simplified that saying any municipal entity having jurisdiction.

And then in D Subsection 1, at the very bottom, we added— we had an instance where we had an agricultural property where the owners were raising horses and were doing a major addition to the house and they resided in the house. But when they were doing the addition, they needed to vacate the house temporarily but it was a problem because they needed to tend to the animals on the property and we had no way to allow them to have a temporary trailer on the property unless it was a fire, flood or some other catastrophe. So we propose this language to address that in agricultural instances where they may be adding or modifying a residence, that they could have a temporary trailer on the property to reside in as long as they— it's an agricultural production or is for agricultural purposes."

Councilman Bartunek: "Would it be appropriate, Phil, to have some discussion about this maybe at tomorrow's work session where we could have a discussion with Dawn about maybe eliminating prefabricated dwellings or trailers that may have not been occupied for a year or something like that, some provision where they would have to be removed from the site."

Dawn Thomas: "Yeah. And the other thing that occurred to us when we modified this was that modular or prefab dwellings have really changed dramatically since this was originally adopted. Previously they were what you see in mobile home parks. Now they bring modular pieces and build what looks like stick built homes. So we didn't want to preclude that."

Supervisor Cardinale: "I want to ask a few questions on this. This— if you do a prefabricated dwelling anywhere, you have to go to the Zoning Board of Appeals? Still? Isn't that correct?"

Dawn Thomas: "No. You could put a modular home or a prefab dwelling in any district if it's affixed to a permanent foundation."

Supervisor Cardinale: "Was that recently changed? Because that wasn't always the case."

Dawn Thomas: "That was in there. Still need Zoning Board of Appeals for modular?"

Supervisor Cardinale: "In the current— why don't we ask Leroy because he happens to be here which is helpful. Leroy, in my days of practicing law— "

Dawn Thomas: "Yeah, you're right. You're right. You have to go to the ZBA. I'm sorry."

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Supervisor Cardinale: "Yeah. And that comes- this is that section that says if you do prefabricated dwellings- "

Leroy Barnes: "Yes."

Supervisor Cardinale: "-- you immediately- and I know this from experience at Mesa Vista which is a very nice subdivision in Jamesport off of Peconic Bay Blvd., built out in the late '80's, they had to go in for every one of those modulars and get a permit."

Leroy Barnes: "Yes."

Supervisor Cardinale: "These modulars are no more- they look better than a lot of houses that are stick built because of where the modular industry has gone. It occurs to me that it's a real waste of time, money and effort in many instances to insist that the prefabricated homes, number one, cannot- we are taking out that they can't be located in A or B, so we're giving the latitude of the Zoning Board to approve them anywhere- "

Dawn Thomas: "In any residential district."

Supervisor Cardinale: "-- which is a good thing. But I guess my question is, do you, as the Building- as the zoning- what are you called?"

Dawn Thomas: "Officer."

Supervisor Cardinale: "The zoning officer, do you think it serves any purpose at this stage of development of the prefab industry to insist that every one go to the ZBA?"

Leroy Barnes: "I do because if you read the definitions that the state adopted for manufactured homes, I mean, some of them can look like mobile homes. I think the idea is that if you have a relatively decent neighborhood that have stick built homes and then someone wants to bring an actual modular in that looks more like a mobile home, the ZBA could deny them."

Supervisor Cardinale: "So you think that- "

Leroy Barnes: "I think that's the kind of denial process that you want."

Supervisor Cardinale: "Okay. So you think that the protection of the ZBA reviewing it for in effect a special permit- "

Leroy Barnes: "It protects the neighborhood."

Supervisor Cardinale: "Is a good idea?"

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Leroy Barnes: "It's a good idea."

Supervisor Cardinale: "Okay. That's what I really wanted to know. Okay. And you crossed out that it is not located in Residence A or B as a condition because you are permitting them to approve the newer type nicer ones in those districts anyway."

You- I also wanted to ask, you change the A and said it complies with the provisions and laws, ordinance, rules and regs of all federal and local agencies that are applicable, but you've changed to municipal entities applicable. I thought that was basically so that none of the modulars- that they were unable to give a special permit. The ZBA had no discretion to give a special permit to those that didn't- weren't HUD approved.

Under that language, when it says that the state, federal and local agencies has to meet all the requirements, I thought that was the purpose of it. And I'm concerned if we take it out and just say municipal entities, we're losing that protection. Does anybody want to help me out here with that? Why are we changing it complies with all provisions of the state, federal and local to it complies with all provisions of municipal entities? We are the municipal entity."

Dawn Thomas: "Correct. Well, all municipal entities having jurisdiction, that would be state, local and federal."

Supervisor Cardinale: "I don't think so because municipal- "

Leroy Barnes: "Well HUD has jurisdiction- "

Supervisor Cardinale: "-- maybe governmental."

Leroy Barnes: "--and now the Department of State has jurisdiction on how modulars are designed."

Supervisor Cardinale: "Why don't we just make that- actually it's just the wrong word. She's saying- she's just trying to make it more quick. It's not- you can just say all governmental entities."

Dawn Thomas: "That's fine."

Supervisor Cardinale: "Because then it would be what you want to do, you want to make sure it's sealed and whatever the heck it- HUD sealed."

Leroy Barnes: "Right. It has a HUD seal, and it's approved by the Department of State now (inaudible)."

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Supervisor Cardinale: "So that word should be governmental. You'll permit it anywhere and it will still be by special permit because-- all right. So I understand it. Thank you.

Anybody have any other comment on this one? Yes, come up. Charles."

Charles Cuddy: "If I may, I would like to go back to, Mr. Supervisor, your comment about the prefabricated dwellings."

Supervisor Cardinale: "Right."

Charles Cuddy: "I take issue to some degree with the building inspector's position that you have. And what I think is important is that the Zoning Board has absolutely no particular ability to tell a good modular house from a bad modular house. I would think that you could limit it to say that it has to conform with the Zoning Board's instruction-- is that they have to determine that it conforms to like houses in the community. But giving them this sort of carte blanche open deck and saying that you can look at it for any purpose, it doesn't make sense.

I think they're legally built, they conform to codes. And what we've done is say to the Zoning Board, you tell us any-- for any reason, that you can reject a modular home. I think that's inappropriate at this stage (inaudible)."

Supervisor Cardinale: "Yeah, and that's what I was getting-- as (inaudible) what I have seen them do and I haven't had one in seven years, but what they generally do, you know, is it is HUD sealed, yes, it is in C because at the time it was only permitted in Residence C, not A or B, yes. We really don't need to see the pictures. You know. I've seen, you know, it's really pro forma. So it got silly. It's actually-- what does it cost to get the application in?"

Because I remember when the Mesa Vista subdivision built out, it was 66 times whatever-- \$200.00 or something. It was-- it seemed kind of silly because we had to keep coming down here to tell them-- we only had four models or something and, you know, could you do this for the 66<sup>th</sup> time? I guess it wasn't 66, it was 4 into say the 13<sup>th</sup> time, or the 15<sup>th</sup> or the 17<sup>th</sup> time.

So let us think about that, and did you want to talk about this further? Did you say something? Was it this one or the other one? So maybe we'll take that-- some further changes to this inspired by this technical hearing at the work session tomorrow.

Anybody have any further comment on the public hearing? Okay. I'll hold that one out then and we'll continue to consider it. But we will end this hearing for this purpose of this text."

Public Hearing closed: 2:52 p.m.

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Public Hearing opened: 2:52 p.m.

Supervisor Cardinale: "Any- the next one is the 2:30 hearing on 108-64.3 temporary greenhouses. Could you tell us what this is about, please?"

Dawn Thomas: "Sure. This changes the districts where- within which these uses are allowed. And as you can see in the previously read, Residence B, Residence C, and Ag A. Now they're in RB-8-, RA-80 and APZ Zoning Use Districts or on any property with a pre-existing agricultural use as determined by the zoning officer.

So, for instance, if you had an industrial parcel that had been utilized for agricultural purposes, you would be permitted to have a temporary greenhouse on that location as well.

And in the Section B, we just deleted all those Zoning Use Districts and modified the minimum setback requirements in the new Zoning Use Districts."

Councilwoman Blass: "I have a question."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "Would there be any- or should there be any thought given to the fact that since these old Zoning Use Districts, the largest one being 40,000 square feet, we're now doubling the size of all the districts themselves, but we're keeping the setback requirements the same, is there any thought to the fact that since we are increasing the size of the individual lots that maybe we should somehow adjust the setback requirements or the side yard requirements?"

Dawn Thomas: "Certainly. That certainly could be done. Sure."

Supervisor Cardinale: "You know, when you think- did we do that when we changed the- yeah, we did that, right, when we did the two acre zoning we changed the setbacks on our schedules. So you continued the same. Why don't we just look and see what the setbacks are? Because I think these were the setbacks within those zones, were they not? Or where they different?"

Dawn Thomas: "I don't know offhand."

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Councilwoman Blass: "Well, does this mimic the bulk schedule, Rick, do we know?"

Supervisor Cardinale: "Yeah. How did we pick these numbers? Take a look at that."

Councilwoman Blass: "Because they were the same- it was changing the zoning districts nomenclature and all I'm suggesting is because we- "

Supervisor Cardinale: "Yeah."

Councilwoman Blass: "-- I don't know that we actually changed that- "

Supervisor Cardinale: "I completely understand your point, that if you required- "

Rick Hanley: (Inaudible)

Councilwoman Blass: "To the bulk schedule."

Rick Hanley: (Inaudible)

Councilwoman Blass: "That's correct."

Supervisor Cardinale: "Right. And what's interesting as I look at this though, previously Agriculture A which was a one acre zone, right, had a 40 foot minimum front for these greenhouses, 30 side and 40 minimum. Okay? Rear. But Residence B which was a half acre- "

Councilwoman Blass: "Thirty thousand square feet."

Supervisor Cardinale: "-- thirty thousand had 50. It had greater minimum front- "

Rick Hanley: (Inaudible)

Supervisor Cardinale: "Okay. That makes sense. And Residence C was less although that could be- this doesn't make any sense. The old stuff doesn't make any sense so I don't know how you can use it as a guide. But the question is a good one. What's the appropriate setback in two acre zone?"

Anybody else have a comment on this?"

Councilman Bartunek: "Phil, the only thing I would question if you allow the setbacks of greenhouses on areas that had smaller lots, Residence B and C- "

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Supervisor Cardinale: "Right."

Councilman Bartunek: "-- are we eliminating, precluding the possibility of greenhouse now in RB-40? Is that what we're doing here?"

Supervisor Cardinale: "Are they permitted?"

Dawn Thomas: "No."

Supervisor Cardinale: "They're not permitted. We have done that."

Dawn Thomas: "Unless they're on an industrial parcel with a pre-existing Ag use."

Supervisor Cardinale: "Well, the pre-existing ones are permitted to continue if they are any. But your question-- the answer is we're not doing that now, we did it when we passed the bulk schedule for the new zoning by saying that greenhouses were not permitted in those zones."

Dawn Thomas: "Correct."

Supervisor Cardinale: "Okay. Anybody have any further comment on the 2:30 hearing, on 108-64.3? No. Okay. It being 3:56, I'm going to end that hearing."

Public Hearing closed: 2:56 p.m.

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Public Hearings opened: 2:56 p.m.

Supervisor Cardinale: "There's a hearing scheduled for 2:35, on 108-86 which I think is another housekeeping one, thoroughly housekeeping. What do we have on this?"

Dawn Thomas: "You could also open the 2:40 because the description will be the same."

Supervisor Cardinale: "Okay. And I'm also going to open the 2:40 hearing which is 108-92. Could you tell us about those two?"

Dawn Thomas: "These are our cluster development chapter and they are housekeeping resolutions. In 108-86 we are removing Residence A, B and C and Ag A and including RA-40, RB-40, RB-80, RA-80 and APZ. And in 108-92, we're eliminating the-- some of the development standards that were applicable to the Residence A and Ag A Zoning Use Districts and actually just eliminating that section A and

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putting in B and I'm referring back to 108-89 which actually I'm not sure what 108-89 is, it's also in cluster development but I don't have that section in front of me."

Supervisor Cardinale: "Okay. Let's- "

Dawn Thomas: "Maybe Rick- "

Supervisor Cardinale: "Rick, would you come up?"

Dawn Thomas: "It's all cluster. I don't know what specifically- "

Supervisor Cardinale: "We're looking at- the first one is easy. That's the 2:35 hearing. We're simply substituting for A, B, C and Ag A- Res A, B, C and Ag A, the new demarcation of residential zones which is RA-40, RB-40, RA-80 and R-80, so that we don't have to talk about.

On the second one which is scheduled for 2:40, 108-92 (inaudible) coverage and setback requirements, if I understand this, we're crossing out A 1 and 2 which talks about if an individual detached dwelling units are used the following height frontage, area, yard and coverage requirements including front, side and rear yards are to be met. In Residence A, the same requirements exists (inaudible) at the time final approval of subdivision is granted. In Agricultural A the same requirements as exist in Agricultural A at the time of approval of the subdivision.

And we're not addressing the new zones in the same manner as we had addressed Residence A but we are adding apparently a new A which says if condo units are used as provided for in 108-89 the minimum front, side and rear yards for all buildings, etc., shall be 100 feet.

So I don't understand- I understand that this deals with condominium but what are we doing with the other ones?"

Rick Hanley: "I think- the way I read this is that we're deleting A-1, 2 in 108-92- "

Supervisor Cardinale: "That's what it seems to be, yeah."

Councilwoman Blass: "That's correct."

Rick Hanley: "-- and we're adding a new A which was B, right, that reads as A."

Supervisor Cardinale: "That's what I'm reading."

Councilwoman Blass: "But it's not a new text. It's the old B."

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Rick Hanley: "The old B becomes A- "

Councilwoman Blass: "Right. With just that change."

Rick Hanley: "With an addition."

Supervisor Cardinale: "Okay."

Rick Hanley: "And I think what I have to do is provide to you what is 108-89."

Councilwoman Blass: "It says pursuant to the cluster subdivision, if the Planning Board chooses to cluster, you can cluster in condominium units as condominiums. That's 108-89."

Rick Hanley: "108-89 is part of the article- "

Councilwoman Blass: "On cluster. Right."

Rick Hanley: "I'm not sure exactly what 108-89 is."

Supervisor Cardinale: "And my other question is this. It says if condo units are used as applied in 108-89, then so and so. But it doesn't talk about if we're not talking about condos but we're talking about- "

Rick Hanley: "HOA."

Supervisor Cardinale: "Oh, HOA. If we're talking about anything else on Residence- what's the equivalent of Residence A? I guess it's- I guess it's RA 40 or 80- RA-80 now. It doesn't tell us what's going to happen there."

Rick Hanley: "Right. I think- I'm glad you pointed this out because I think we might want to think about striking out condominium entirely."

Councilwoman Blass: "Striking out condominium entirely, that was the question."

Rick Hanley: "Because of other issues with respect to tax ratables and- "

Supervisor Cardinale: "We don't want to have condominiums for the reasons- "

Rick Hanley: "That's correct."

Supervisor Cardinale: "-- we discussed. Because we can't get that law passed to- in Albany."

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Rick Hanley: "Okay."

Councilwoman Blass: "And should we include language about HOA and that would be replacement. If you're suggesting that- I mean if you looked at a condominium map built out this way in HOA that would look exactly the same. If the intent is to provide HOA would we want these kinds of setbacks or not?"

Rick Hanley: "That's a very good question and number two, I think we must define what an HOA map is."

Supervisor Cardinale: "So this needs work."

Rick Hanley: "It does."

Supervisor Cardinale: "The 108-92 change, that together with the one of 108-64, I'll hold aside but I want to take any comment from any member of the public that's here and if there is none, I will close at least the review of this text. If we change it, we'll have to have another public hearing, if we substantially change it."

Public Hearing closed: 3:02 p.m.

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Public Hearing opened: 3:02 p.m.

Supervisor Cardinale: "Okay. The next one is scheduled at 2:45. It is to consider 108-110.2 language change and could you explain what this is about, please?"

Dawn Thomas: "This is within the Business CR Zoning Use District."

Supervisor Cardinale: "It's 3:02. Okay, go ahead."

Dawn Thomas: "And this is similar to the ones we talked about earlier with industrial properties. Any non-conforming residential use within that Business CR district will now have to comply with the development standards set forth in the APZ Zoning Use District rather than the old Ag A. And that's simply it."

Supervisor Cardinale: "Any lot in a non-conforming residential use- or- go in here?"

Dawn Thomas: "CR- Business CR."

Supervisor Cardinale: "Country- Business CR. So any lot- non-conforming residential lot in that district or one divided such that

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residential lots comply- okay, has to comply with the APZ standard which is two acre. It used to be one acre but now our top zoning area is two acre and that's what we're asking them to comply with."

Dawn Thomas: "Correct."

Supervisor Cardinale: "Okay. Anybody wants to comment on the 2:45 hearing concerning 108-110.2? Okay, it being 3:04, that one is deemed closed."

Public Hearing closed: 3:04 p.m.

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Public Hearing opened: 3:04 p.m.

Supervisor Cardinale: "We are moving right along. We have a few more. I think we may have more than nine. But the next one is at 2:50. I think we have 12 actually. 2:50 is to consider a local law to amend Chapter 108 at 108-179 Development within Compatible Growth Areas. Would you tell us what we're doing here, please?"

Dawn Thomas: "Sure. This is our pine barrens overlay district and we are eliminating the references for percentages of clearing allowed from the old zoning use districts and now adding the new zoning use districts and the clearing standards applied."

Supervisor Cardinale: "Okay. So we're simply naming the new districts and applicable clearance which isn't changed."

Dawn Thomas: "Correct."

Supervisor Cardinale: "Okay. This is, is it not, you know what's interesting about this- "

Councilman Bartunek: "Please, tell me."

Supervisor Cardinale: "Good line, George. There is absolutely nothing interesting about this. Well stated. Okay. You know what could be interesting about this is this is talking about- it is related to the great pine barrens debate.

We adopt the same standards as they use in our zoning for clearance. And I see that we're adopting- we're taking the old names of the districts A- Agricultural A, Residence A, Industrial A, Industrial C and CR and we're making RB-80, APZ, IA, IC, Business CR and giving the new names the same standards. What about Grumman? Do we have- does the standard apply there and do we need to- but we don't have to do anything because the zone change hasn't changed, right?

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So there's another section that says that the clearance standard at the Grumman property is 65%."

Dawn Thomas: "That's in the PIP- "

Supervisor Cardinale: "So we didn't change it, we don't- we didn't change the zone, we don't have to change the language. The only vaguely interesting thing, George, is that when the- that big debate about whether the pine barrens got to review. It's kind of a stupid argument because whether they review or we review, the same standard is being used. So what's the big deal."

Dawn Thomas: "A good question to ask, did they review and approve the zoning when- "

Supervisor Cardinale: "And besides which they saw our zoning back in '99 up there, that we showed them the standard was going to be 65%. In any event, there isn't anything interesting about that. Okay. I was trying."

Dawn Thomas: "Relatively speaking."

Supervisor Cardinale: "It being 3:06, we're going to close that hearing."

Public Hearing closed: 3:06 p.m.

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Public Hearing opened: 3:06 p.m.

Supervisor Cardinale: "We're going to move to the 2:55 p.m. hearing and that's on 108-180 transfer of development rights, pine barrens credit program. Could you tell us what we're doing here?"

Dawn Thomas: "Yeah, this is another thrilling amendment to our Overlay District which simply strikes Residence C which no longer exists in our zoning code."

Supervisor Cardinale: "Okay. Good. Strike it if it isn't there. Always fundamentally good principle. If it doesn't exist, take it out. It's 3:06 and a half. Anybody have a comment? If not, we will close this hearing."

Public Hearing closed: 3:06 p.m.

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Public Hearing opened: 3:06 p.m.

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Supervisor Cardinale: "And move forward to I think the last hearing of this afternoon which is scheduled to begin at 3:00. It being 3:07, consideration of 108-211 through 108-221 change in text on wireless communication towers and antennas. What are we doing here?"

Dawn Thomas: "This one actually does have a little interest to it. We- if you notice, we are readopting the entire zoning use district."

Supervisor Cardinale: "Yes. Same language."

Dawn Thomas: "Yes. There was some suggestion in the lawsuit that we had not referred this legislation to the Suffolk County Planning Commission prior to adopting it originally and so we, of course, we denied that allegation. However, to eliminate that issue entirely from litigation we are re-referring it and readopting it and while we're doing that we're also changing the applicable zoning use districts."

If you look in 108-213-B, we had specially permitted within the following zoning use districts, now we're- we had Ag A, Business A, Business F, Industrial A, Industrial B, Industrial C, Residential, Defense, Institutional. Now we're- "

Supervisor Cardinale: "Addressing the new names."

Dawn Thomas: "Correct. And then- but, right, and some of the zoning use districts- what we tried to do was include all commercial zoning use districts but they're only by special permit. You have the authority under the legislation by special permit to approve or deny but also we did not want- and some of our new zoning use districts allow mixed use, residential and commercial."

We didn't want any antennas in any zoning use districts that was used wholly or partly for residential purposes. So this actually should be amended if you look at- it's a little bit awkward, the last sentence, B, it says but shall not be permitted in whole or in part or in any property. It should say it shall not be permitted on any property used for residential purposes in whole or in part. Because we didn't want to allow any antennas in residential districts or in districts where residential uses- "

Supervisor Cardinale: "What's the zone that we haven't- "

Dawn Thomas: "And also there's no downtown use districts included here."

Supervisor Cardinale: "What's the district along the riverfront there that we're working on still- community riverfront designation."

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Councilman Bartunek: "RFC."

Councilwoman Blass: "RFC, rural riverfront corridor. RFC."

Supervisor Cardinale: "RFC. Okay. Was that-- that RFC, was that permitted previously?"

Dawn Thomas: "Well, some of those properties were zoned industrial."

Supervisor Cardinale: "No. I'm talking about in the existing law, was RFC a proper site for-- for a tower as specified?"

Dawn Thomas: "You mean in the new zoning?"

Supervisor Cardinale: "I shouldn't ask that. I should ask what the old zoning was."

Dawn Thomas: "Right. And some of the waterfront districts were mixed. There were some industrial and it would have been permitted in some industrial districts previously."

Supervisor Cardinale: "But how did we distinguish-- I'm getting at-- "

Dawn Thomas: "What we did was rather than-- "

Supervisor Cardinale: "We're talking about-- we've got an application in there right now-- "

Dawn Thomas: "Right."

Supervisor Cardinale: "-- it's on (inaudible) property."

Dawn Thomas: "Right."

Supervisor Cardinale: "You may remember it."

Dawn Thomas: "Yeah, I'm familiar with it."

Supervisor Cardinale: "Okay. So I'm asking if the RFC district you are inclusive, which is that whole corridor now-- "

Dawn Thomas: "Correct."

Supervisor Cardinale: "-- but some portions of that corridor were excluded from towers previously, now all portions of the corridor would be included and I'm wondering if we-- "

Dawn Thomas: "Well, I don't know if that's true."

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Supervisor Cardinale: "That's what I'm asking."

Dawn Thomas: "I'd have to look at what the exact zoning use districts were. In some it may have been permitted, in some it might not have been. But it- "

Supervisor Cardinale: "And we're going to change it, too. So I'm wondering since we're going to change it, do we want to include it."

Dawn Thomas: "One of the things I tried to do here was to give you flexibility and give you every- you could put them in any zoning use district by special permit and that way if there were certain conditions within the zoning use district whether they be natural features or what have you, you would have the criteria of special permit would address those issues rather than forcing the towers into- "

Supervisor Cardinale: "Yeah, specific areas."

Dawn Thomas: "Right."

Supervisor Cardinale: "That may be a pretty solid policy determination."

Dawn Thomas: "It's a suggestion."

Supervisor Cardinale: "However, yeah, it's a policy determination. What I'm thinking is that and I don't know this, Charles, I'm sure does who happens to be one of the few people still here, that when you put something as you know special permit that you're kind of- you've got to give them a real good reason if you're not going to permit it."

Dawn Thomas: "Absolutely."

Supervisor Cardinale: "So if there are areas- so being all inclusive in the zones that you are permitting towers puts us to some extent on the defensive if we really don't want towers. So we better make sure we really want it in all these districts."

Councilwoman Blass: "Looking at- questioning the wisdom of shopping center district for example. Do we want to- "

Dawn Thomas: "Well, this isn't only towers. It would be antennas also. It could be placed in any area that you feel comfortable. I'd rather have you locate where possible or locate on buildings where it's less visible than forcing it onto a property that's in your face. It's certainly your policy- "

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Supervisor Cardinale: "Yeah, I know. It started by making a judgment which is not an unreasonable one but you're right. As a board I think we have to determine whether we don't want to waste a lot of time considering towers or antennas in districts where we know we really don't want them and then we're going to have to justify by special permit the denials and then we're going to say instead of one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve zones that they're really going to be allowed in eight because there's four we really don't want them in."

Dawn Thomas: "But don't forget also you have FHA requirements, you have SEQRA requirements under the statute and- "

Supervisor Cardinale: "Yeah, we have other protections you mean."

Dawn Thomas: "Also we have to remember that we have some preemption issues with federal law and communications. What we tried to do is keep them out of residential areas which I think we can do. We can push that far. But to not specifically preclude them in other areas so that you could identify your criteria clearly in a determination one way or the other. So using your location mandate which is set forth in the statute and your other zoning criteria which- "

Supervisor Cardinale: "The policy perspective on this was take them out of the residential areas and leave them in everywhere else and protect yourself by special permit so you don't run into the preemption issues until you get to the special permit."

Councilwoman Blass: "The only one that concerns- well, not the only one but something that concerns me is when we talk about the APZ, we talk about a parcel that's in production which I'm trying to think about a situation, a parcel that's currently in production, still has development rights associated or attached, and so it's not currently being used for residential purposes. So they locate a tower and then they come in for subdivision. We would have to what? Get that preclude- we couldn't preclude them from using it for residential purposes. How would we deal with it at that point?"

Dawn Thomas: "They would have to (inaudible)."

Councilwoman Blass: "Remove the tower. That seems kind of- I don't know."

Dawn Thomas: "You know, you could (inaudible) if you think that's an issue. Or you could- that is an interesting- "

Supervisor Cardinale: "Particularly APZ is an issue because we're paying a price by way of the one ratio that we gave the farmers to protect the- we tried to- we really went overboard to induce them

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not to develop there. So what that— because we love the vistas and the farmland so I don't know I really want towers— "

Councilwoman Blass: "But then we have those situations where we have— "

Councilman Bartunek: "We already have towers in residential areas."

Dawn Thomas: "You also may say that allowing to put a tower in the APZ may induce him not to develop because he can get revenue off the property without doing residential development."

Supervisor Cardinale: "We— okay, I understand your— it's an interesting— it's not an unreasonable way to look at this and we may well take your suggestion."

Vince, why don't— if you're going to make a comment, why don't you get up and make it and then they can see your pretty face on TV. But we can't hear you unless you get up. So it's got to be on the record. I've been told that that's a blessing. Thank you. Vince, how are you?"

Vince Tria: "I'm just curious on this tower change. I thought first you would have a rule on the books that says you cannot even consider a tower until you go to other tower locations to see if— "

Supervisor Cardinale: "They do."

Vince Tria: "-- if— "

Supervisor Cardinale: "That's the— she alluded to saying that there's the co-location requirement. If you can put it on another tower that's already there, do that. If you can't, then come back to us."

Vince Tria; "Okay."

Supervisor Cardinale: "I think we also say you can put it on our towers first, too, don't we? Municipal towers, we would prefer them to put antennas on municipal towers."

Councilwoman Blass: "I don't think we say that first."

Supervisor Cardinale: "We don't say that? I guess that's illegal."

Dawn Thomas: "Well— "

Vince Tria: "I'm curious. What about the fall down— "

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Supervisor Cardinale: "Could we say that?"

Dawn Thomas: "I don't know."

Councilwoman Blass: "It says (inaudible)."

Vince Tria: "Does the fall down zone still- is that still in effect or- "

Councilwoman Blass: "Yes. This is exactly- "

Supervisor Cardinale: "You're talking about antennas or are you feeling faint? Yeah, the fall down zone is still in effect. Yes."

Councilwoman Blass: "This is the exact same law with the exception of the changing of the districts. It's the same text other than where they were permitted previously."

Vince Tria: "People that have towers like I do, do they come to us or they send us a letter? How do you know that we have been asked for to see if our tower could be used?"

Supervisor Cardinale: "For an antenna or satellite. What do they call those things? They put on towers antennas? Okay. His point is- I know where he's going with this because he- Cablevision, for example, has a lot of antennas on their tower."

Vince Tria: "Nineteen."

Supervisor Cardinale: "Nineteen. And I'm not sure we're taxing them as part of- because I'm not sure they came to us and asked. They just put them up. So his point is how do we know that people who have tower permission, if I were them, I would just put- I shouldn't say that.

It is possible that people who are not public spirited might put up antennas on towers illegally. How do we know that?"

Dawn Thomas: "How would you know that?"

Supervisor Cardinale: "Yes."

Dawn Thomas: "Well- "

Vince Tria: "You wouldn't."

Dawn Thomas: "Well, that's- we wouldn't know if people were trying to trick us."

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Supervisor Cardinale: "The things we don't know is amazing."

Dawn Thomas: "However, we have ways of finding out if we need to."

Supervisor Cardinale: "In the (inaudible), they do everything."

Councilwoman Blass: "They would also be violating site plan."

Dawn Thomas: "Yes."

Supervisor Cardinale: "Big brother- "

Dawn Thomas: "You require a permit."

Supervisor Cardinale: "Who's the guy that wrote- "

Councilwoman Blass: "George Orwell."

Supervisor Cardinale: "In George Orwell's world, big brother knew everything but the town of Riverhead is knows a lot."

Councilwoman Blass: "Now big sister knows everything."

Vince Tria: (Inaudible)

Supervisor Cardinale: "Yeah. But that's a good point. I know you've made it and I've discussed that issue with the assessors as to whether we're getting proper assessments on these towers which are adding antennas on a frequent basis."

Councilwoman Blass: "Could we- should we add flags since we did have flagpoles as well? Seriously. It talks about light poles, alternative tower structure, manmade trees, clock towers, bell steeples, light poles."

Dawn Thomas: "And similar- "

Councilwoman Blass: "And similar. We should put our flags in there."

Supervisor Cardinale: "I was over at Cherry Creek golf course the other day. Wow, what a flag- that's their antenna. They covered it up with a flag pole."

Councilwoman Blass: "The other thing is these code- text amendments. Do they get referred to the Planning Board? Do we do that or we don't have to. It's just sort of on our own motion."

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Dawn Thomas: "Well, most of the legislation was referred to the Planning Board- "

Councilwoman Blass: "The- okay."

Supervisor Cardinale: "Is there anyone- it has been described- it has been discussed by the Board. We'd like to take comment from any member of the public who, again, this is simply a re-adoption but there is in that section alluded to, 108-213, a designation of the zones in which these antennas are to be permitted subject to special permit and other considerations.

Anyone else have a comment other than Vince? If not, I think that might be the last of our public hearings to which everyone probably sighs, what a relief.

We're going to have more of these. We're going to probably have a dozen days where we have a dozen of these while we clean up the code completely. You may wish to come back or you may not having endured the first one but thank you."

Public Hearing closed: 3:19 p.m.