

PUBLIC COMMENT ON ANY CDA RESOLUTION LISTED BELOW:

CDA

Res. #1 Authorizes the Town Attorney to Order an Appraisal for Real Property Located at 103-105 East Main Street; 111 East Main Street; 117 East Main Street; 121 East Main Street and 127 East Main Street, Riverhead

CDA

Res. #2 Authorizes Publication of Notice to Solicit Proposals for Community Visioning for Parcels Under Consideration for Acquisition by the Town of Riverhead

CDA

Res. #3 Authorizes Supervisor to Sign Attached Hold Harmless Agreement with LED Display Technology

PUBLIC COMMENT ON ANY REGULAR TOWN BOARD RESOLUTION LISTED BELOW:

Res. #39 Authorizes Fire Marshal to Attend Electrical Fire Cause Determination Course

Res. #40 Authorizes Fire Marshal I, David Andruszkiewicz to Attend the "Forensic Fire Scene Reconstruction" Seminar

Res. #41 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Call-In Automotive Equipment Operators

Res. #42 Ratifies the Appointment of a Wastewater Treatment Plant Operator II (Robert Helupka)

Res. #43 Ratifies the Appointment of a Member to the Zoning Board of Appeals (Charles Sclafani)

Res. #44 Ratifies the Appointment of a Member to the Planning Board of the Town of Riverhead (Louis Boschetti)

Res. #45 Ratifies the Appointment of the Chairman of the Riverhead Zoning Board of Appeals (Frederick J. McLaughlin)

- Res. #46** Authorizes Attendance at the 2009 Training School Held by the Association of Towns
- Res. #47** Appoints a Member to the Animal Advisory Committee (Noreen LeCann)
- Res. #48** Sets the Fees for Usage of Recreation and Other Town Facilities
- Res. #49** Authorizes Town Clerk to Post and Publish Public Notice of Empire Zone Administrative Board Meetings
- Res. #50** Authorizes Town Clerk to Publish and Post a Public Notice of a Public Hearing to Amend the Town of Riverhead Zoning Use District Map
- Res. #51** Appoints a Call-In Assistant Recreation Leader (Skatepark) Level II to the Riverhead Recreation Department (David Guity)
- Res. #52** Authorizes Amendment to Resolution #27 Storage Fees
- Res. #53** Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 74 Nadel Drive, Riverhead, New York
- Res. #54** Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 20 Dolphin Way, Riverhead, New York
- Res. #55** Offers Opposition to the Proposed Changes to the Public Health Law, Consolidating Local Registrars of Vital Statistics
- Res. #56** Authorizes the Town Supervisor to File State Form TE-9-A
- Res. #57** Authorization for Supervisor to Execute an Agreement with the Galamery Company, Inc.
- Res. #58** Ratifies the Authorization for the Supervisor to Execute Agreement between Town of Riverhead and Delta Computer Group

- Res. #59** Authorizes the Supervisor to execute a Contract Agreement between the Town of Riverhead and Peggy Schiefer (Court Reporter Services)
- Res. #60** Authorizes Supervisor to Execute No Cost Change Order No. 1 Transmission Improvements at Sound Avenue & Various Locations Contract E- Electrical Work H2M Project No. RDWD 06-01 Riverhead Water District
- Res. #61** Authorizes Town Clerk to Advertise for Bids Installation of Water Mains & Appurtenances at Ext. No. 85 – Mastro Realty Riverhead Water District
- Res. #62** Authorizes Town Clerk to Advertise for Bids Construction of Plant No. 15 Contract G—General & Mechanical Construction Project No.: RDWD 06-05 Riverhead Water District
- Res. #63** Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (RB-80)
- Res. #64** Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (RA-80)
- Res. #65** Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (APZ)
- Res. #66** Adopts a Local Law to Amend Chapter 101 Entitled “Vehicles & Traffic” of the Riverhead Town Code (§101-3. Stop and Yield Intersections; Railroad Crossings; Parking Fields.)
- Res. #67** Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (Agriculture Protection (APZ) Zoning Use District
- Res. #68** Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (Residence B-80 (RB-80) Zoning Use District)

- Res. #69** **Declares Lead Agency and Determines Significance of Action: Special Permit of Beacon and Verizon Wireless, Wading River (Little Flower)**
- Res. #70** **Awards Bid for Abandoned/Junk Vehicles**
- Res. #71** **Authorizes Supervisor to execute Sublicense Agreement Between the Town of Riverhead as Sublicensor and Open Arms Care Center, Inc. as Sublicensee**
- Res. #72** **Authorizes Town Clerk to Publish and Post Notice of Public Hearing Regarding the Special Use Permit Petition of Hampton Jitney – Motor Coach Terminal**
- Res. #73** **Authorizes Town Clerk to Publish and Post Notice of Public Hearing Regarding the Special Use Permit of Theodora Cohen**
- Res. #74** **Authorizes an Intermunicipal Agreement with the Suffolk County Planning Commission Regarding Zoning Referrals**
- Res. #75** **Pays Bills**

Adopted

1/21/09

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

Resolution # 1

AUTHORIZES THE TOWN ATTORNEY TO ORDER AN APPRAISAL FOR REAL PROPERTY LOCATED AT 103-105 EAST MAIN STREET; 111 EAST MAIN STREET; 117 EAST MAIN STREET; 121 EAST MAIN STREET AND 127 EAST MAIN STREET, RIVERHEAD

COUNCILMAN BUCKLEY offered the following resolution, was seconded by

COUNCILMAN WOOTEN :

WHEREAS, the Town Board of the Town of Riverhead is interested in revitalizing East Main Street in Riverhead for the purpose of stimulating economic growth and prosperity by purchasing the commercial property located at 103-105 East Main Street; 111 East Main Street; 117 East Main Street; 121 East Main Street and 127 East Main Street, Riverhead; and

WHEREAS, in order to effectuate this acquisition, it is necessary for the Town of Riverhead to obtain an appraisal of the property,

NOW, THEREFORE, BE IT RESOLVED that the Town Attorney is hereby authorized to order an appraisal from Rogers & Taylor Appraisers, Inc., at a cost of \$12,000.00, for the real property commonly known as 103-105 East Main Street, Riverhead; 111 East Main Street, Riverhead; 117 East Main Street, Riverhead; 121 East Main Street, Riverhead; 127 East Main Street, Riverhead; Suffolk County Tax Map Nos. #0600-129-1-10; #600-129-1-11; #600-129-1-12; #600-129-1-13; #600-129-1-14, respectively, in connection with the acquisition of said parcels, and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Community Development Agency and the Office of the Town Attorney.

WOOTEN YES NO BUCKLEY YES NO *absent*

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

Adopted

January 21, 2009

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

RESOLUTION # 2

**AUTHORIZES PUBLICATION OF NOTICE TO SOLICIT PROPOSALS FOR
COMMUNITY VISIONING FOR PARCELS UNDER CONSIDERATION FOR
ACQUISITION BY THE TOWN OF RIVERHEAD**

COUNCILMAN WOOTEN

_____ offered the following resolution,

COUNCILWOMAN BLASS

which was seconded by _____:

WHEREAS, the Riverhead East Main Street Urban Renewal Area is a priority of the Town of Riverhead Board and has been the focus of numerous plans and studies, capital improvement projects and substantial investment by the Town of Riverhead.

WHEREAS, the Town of Riverhead through its Community Development Agency hereby solicits proposals from a creative and qualified consultant to conduct and facilitate community visioning for a potential redevelopment of parcels in the Riverhead East Main Street Urban Renewal Area under consideration for acquisition by the Town of Riverhead to include a minimum of three community outreach meetings and possibly to be followed by a charrette activity to examine alternatives for redevelopment and presents a preferred alternative; and

THEREFORE, BE IT RESOLVED, that Riverhead Town Board authorizes the issuance of the attached Request for Proposals.

THEREFORE, BE FURTHER IT RESOLVED, that the Riverhead Town Board hereby authorizes publishing and posting of the attached public notice in the Thursday, January 29, 2009, issue of the News Review and to post same on the signboard in Town Hall.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide notification of this resolution to the Community Development Director.

absent

THE VOTE

Buckley yes no Wooten yes no

Dunleavy yes no Blass yes no

Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

Please take notice that the Town of Riverhead through its Community Development Agency hereby solicits proposals from a creative and qualified consultant to conduct and facilitate community visioning for a potential redevelopment of parcels in the Riverhead East Main Street Urban Renewal Area under consideration for acquisition by the Town of Riverhead to include a minimum of three community outreach meetings and possibly followed by a charrette activity to examine alternatives for redevelopment and present a preferred alternative.

A Request for Proposals has been issued by the Town of Riverhead Community Development Agency and is available at the Town Clerk or through the Community Development Department during business hours or by calling 727-3200 ext. 287.

Dated: January 29, 2009

Diane M. Wilhelm
Town Clerk

REQUEST FOR PROPOSALS

DOWNTOWN RIVERFRONT REDEVELOPMENT COMMUNITY VISIONING PROJECT



January 29, 2009

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I. OFFERING SUMMARY

Introduction

The Town of Riverhead hereby solicits proposals from a creative and qualified consultant (experienced planners, architects, meeting facilitators or other similar professions) to assist the Town of Riverhead to engage the community in a visioning process for potential redevelopment of multiple parcels on the south side of East Main Street along the waterfront in downtown Riverhead adjacent or near to the Town of Riverhead property currently occupied by the East End Arts Council located within the East Main Street Urban Renewal Area.

Requirements to Fulfill Required Task:

1. Review of Available Data, Kick Off Meeting, and Site Visit
2. Project Management and Meetings
3. Stakeholder Outreach
4. Facilitation of Three Community Visioning Meetings
5. Final Report

Alternative A

6. Facilitation of Charrette Activity

Submittal of Proposals: Submit responses to the office of the Town Clerk:

Diane M. Wilhelm, Town Clerk
Town of Riverhead
200 Howell Ave.
Riverhead, NY 11901

General Information: All prospective respondents should familiarize themselves with the project area. For general information regarding the project area or questions regarding the submission, contact:

Chris Kempner, Director
Community Development Agency
Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901
(631) 727-3200 x287
Kempner@riverheadli.com

REQUEST FOR PROPOSALS (RFP)
TOWN OF RIVERHEAD

DOWNTOWN RIVERFRONT REDEVELOPMENT
COMMUNITY VISIONING PROJECT

January 29, 2009

OBJECTIVE

The Town of Riverhead seeks proposals and qualifications from a creative and qualified consultant (experienced planners, architects, meeting facilitators or other similar professions) to assist the Town of Riverhead to engage the community in a visioning process for potential redevelopment of multiple parcels on the south side of East Main Street along the waterfront in downtown Riverhead adjacent or near to the Town of Riverhead property currently occupied by the East End Arts Council located within the East Main Street Urban Renewal Area.

The overall goal of this effort is to assess the community vision for revitalization of this currently underutilized area by facilitating a minimum of three community meetings and potentially a charrette activity to solicit ideas that support the following Town of Riverhead goals:

1. To develop innovative approaches to downtown redevelopment that incorporate a wide range of community views. The visioning process should solicit ideas and focus theme issues of most importance to the community and specifically identify redevelopment opportunities within current zoning.
2. To revitalize downtown Riverhead as a community gathering place that will accentuate the central location as well as existing natural and historic features, promote and attract pedestrian traffic, provide venues for community activities and interaction for a variety of populations, and promote revitalization in surrounding areas. The visioning process should incorporate placemaking methodology, which includes community meeting/workshops of a broad range of stakeholders to identify how the project area can be enhanced as a community gathering place and destination.
3. To promote, expand and diversify economic opportunities and sustainability for Town of Riverhead residents, visitors and entrepreneurs through development of new micro-economies accentuating Riverhead's strengths. Potential areas of exploration, include but are not limited to, agricultural related business, water-enhanced and water-dependent uses, as well as historic and arts related endeavors.

The process is expected to result in conceptual directives for uses that will help the Town of Riverhead to achieve these goals. Ultimately, the Town intends to work with a private planning firm or developer to design and implement the community visioning project ideas. The proposal should incorporate a comprehensive visioning process that

will facilitate the generation of new options for improved quality of life for Town of Riverhead residents and visitors alike, including improved economic opportunities that accentuate and connect the waterfront and retail centers, as well as enhancement of public open spaces, streetscapes, historic resources, and access to transportation and parking.

Attachments:

- Riverhead Town Code Sections 108 - 297 through 300 and 301 through 304 (Downtown Center: Main Street Zoning Use District/DC-1 and DC-2)

PROPOSED PROJECT LOCATION

The area being considered for potential redevelopment is located within the Town of Riverhead East Main Street Urban Renewal Area with primary focus on properties located on the area south of Main Street, Riverhead, bordering the Town of Riverhead property currently occupied by the East End Arts Council (see <http://www.eastendarts.org>). Emphasis will be placed on creating public space for community recreation and gatherings, maximizing green space while maintaining vehicular access to storefronts, and improving the appeal of the nearby retailers and commercial properties. The redevelopment area is characterized by numerous vacant buildings, public parking areas and underutilized properties.

SCOPE

The intent of the Town of Riverhead is to provide a process to stimulate community and stakeholder participation into the redevelopment of the downtown business district by encouraging new ideas for improvements to property along the riverfront that may at present be publicly or privately owned. The end result of the process is to produce a vision for the redevelopment of this area within the historic context of the surrounding buildings and with sensitivity to the environment that encourages incorporation of ideas consistent with current zoning for this area, including but not limited to public gathering spaces and activities, museums and other institutional uses, entertainment, recreation, retail/commercial and housing. Other significant aspects of the redevelopment visioning process will potentially incorporate dual frontage of existing or new buildings, additional marine access to the dock, pedestrian and bicycle utilization of the greenspace along the river, scenic vistas, access from Route 25 and Route 94, the potential for synergistic development in the Town of Southampton, and impetus for increased resident and visitor use of the riverfront. Celebratory greenspace plazas are encouraged.

For more information on the area and redevelopment planning documents, responders are directed to the Town of Riverhead website www.riverheadli.com for links to the following planning documents and Town Code:

- East Main Street Urban Renewal Plan Update (2008)
- East Main Street Urban Renewal Plan Update Generic Environmental Impact Study
- Town of Riverhead Comprehensive Plan

The visioning process is intended to produce a result compatible with the historic nature and waterfront location of the downtown area and relate to the surrounding buildings with historic significance as well as to the waterfront. The visioning process should consider regulatory issues. The ultimate resulting project directive will involve the cooperation of all levels of government as well as the private sector for successful planning and implementation.

III. TERMS AND CONDITIONS

Proposals are to be submitted in compliance with the terms and conditions as set forth herein. Proposals should be typed (double-spaced), bound and accompanied by an executed copy of this Request for Proposal signed by a principal of the submitting Proposer thereby affirming its agreement with the requirements hereof.

PROPOSAL FORMAT AND INFORMATION

General Information: All prospective respondents should familiarize themselves with the project area. For general information regarding the project area or questions regarding the submission, contact:

Chris Kempner, CDA Director – 631-727-3200 x287

Submittal of Proposals: Submit responses to the office of the Town Clerk:

Diane M. Wilhelm, Town Clerk
Town of Riverhead
200 Howell Ave.
Riverhead, NY 11901

Submission Format: Interested proposers should submit ten (10) copies of their response to the address cited above. All submissions must contain the following:

1. Required Information Regarding the Proposer: each proposal must include the following information:
 - a. Letter of Interest, including overview of firm and officers;
 - b. Contact person for the proposal (include address of primary business operations and that of office that will handle this transaction);
 - c. General background of the Proposer, and its business organization, including:
 - Proven qualifications to carry out a project as outlined;
 - Demonstrated experience in similar projects.
 - Demonstrated understanding of the Town's vision and goals for the project.
 - d. List of clients to whom your firm has provided similar services including the names, titles and phone numbers of individuals whom the Town may contact as references.

2. Summary of proposed visioning concept and process with a detailed strategy containing at a minimum:
 - a. Insights and approaches for facilitating ideas from stakeholders for uses that will assist revitalization of the project area. Reference should be made to similar experiences in comparable areas and show an understanding of all stages of the visioning process.
 - b. Description of the proposed visioning plan including a breakdown and description of project elements.
 - A project schedule identifying milestone dates;
 - Identification of the Team, key principals and qualifications;
 - Description of relevant expertise and experience including examples of successful projects of similar or larger scope and scale, any unique qualifications that the Proposer brings to the project, understanding of the Riverhead area and waterfront potential.
3. Preliminary lump sum cost proposal identifying tasks and costs with a minimum breakdown of the following tasks:
 - a. Three community visioning meetings;
 - b. Alternative A: Charrette Activity (to be conducted contingent upon funding availability)

SCHEDULE

Responses must be submitted by 4:00 pm on Friday, March 6, 2009 to the Town Clerk, 200 Howell Ave., Riverhead, NY 11901. Emailed or faxed responses will not be accepted. Responses must be enclosed in a sealed envelope marked "**Downtown Riverfront Redevelopment Visioning**". Late submissions will not be accepted and incomplete proposals will not be considered.

The Town of Riverhead reserves the right to reject any and all proposals if it is determined to be in the best interests of the Town. In addition, the Town assumes no responsibility or liability for costs incurred by respondents for the preparation/submission of a response to this request or for any subsequent requests made by the Town. Furthermore, the Town reserves the right to award or not award a contract for community vision meetings, charrette activity or both resulting from this request for proposals depending upon availability of funding.

PROPOSAL PROCEDURES AND CONDITIONS

1. Expenses of Proposal Preparation. Each Proposal prepared in response to this RFP will be prepared solely at the cost and expense of the Proposer with the express understanding that there will be no claim whatsoever for reimbursement from Town for any cost or expense incurred in its preparation. Nor will there be any claims whatsoever for reimbursement from the Town for any other costs or expenses incurred by any Proposer, including, without limitation, the selected Proposer.

2. Required Forms. All Proposals must be typed. Proposers are free to, and are encouraged to, submit supplementary information as attachments. The parties hereto expressly acknowledge, accept, and agree that all documents submitted in response to this RFP will become the property of the Town of Riverhead and will not be returned.
3. Except as hereinafter provided. No officer, agent, or employee of the Town is authorized to amend any of the provisions or specifications contained in this RFP. Accordingly, all changes, if any, must appear as a written addenda attached to this RFP.
4. Changes to this RFP. The Town reserves the right to make any additions, deletions, corrections, or changes to the RFP package. In addition, the Town may issue an interpretation or clarification of Proposal submission requirements, or procedures, or of any terms and conditions of any document contained in or required by the RFP package.
5. Addenda to this RFP. Any such addenda by the Town will be delivered and made in writing to all Proposers who have requested an RFP package and/or returned a completed RFP submission. All such Proposers will be required to acknowledge receipt of any such addenda issued by the Town, by returning and/or attaching a signed and dated copy of the addenda transmission cover sheet as may be instructed in the addenda transmittal.
6. Modifications of Proposals. A submitted Proposal may be modified by the submitting Proposer, in part or in whole, by a written document executed in the same manner and in the same number as the original, submitted Proposal (i.e., with original verification and original supporting forms), provided such modification is received by the Town of Riverhead prior to the stated submission deadline. Such modification must be submitted by such valid means as set forth herein for submission of a Proposal, and which is endorsed on the front thereof with the words "Downtown Riverhead Historic District Guidelines -- Proposal Modification."
7. Withdrawal of Proposals. A Proposer may, by written request (made with an original stipulation), withdraw its Proposal, provided such request is received by the Town of Riverhead prior to the submission deadline. Such request must be submitted in an envelope clearly showing the return address of the submitting Proposer, and which is endorsed on the front thereof with the words "Downtown Riverfront Redevelopment Visioning -- Proposal Withdrawn".
8. Late Filings. Proposals, modifications of Proposals, and withdrawal requests received by the Town after the submission deadline will not be considered, and will be returned to the Proposer unopened.

9. Proposers' Exceptions to the RFP. Should a Proposer take exception to any provision of this RFP, such exception must be clearly stated (referencing the affected section, paragraph, and page in this RFP), must set forth the reason(s) for the objection, and indicate what (if any) alternative is being offered by the objecting Proposer to the Town as to a substitute provision. When exception(s) are taken, the Town shall determine (in its sole discretion) the acceptability of the proposed exception(s). Exceptions may be accepted or rejected, and the Town is under no obligation to accept any such exceptions or proposed alternatives. Where exceptions are rejected, the Town may insist that the Proposer negotiate an acceptable alternative thereto. In the event of an impasse, the Town may permit a Proposer to withdraw its Proposal; however, in such circumstances, the Proposer will be disqualified from any further proceeding under the instant RFP. If no exceptions are stated, the Town shall assume that the Proposer has accepted all the terms and conditions of the RFP package.
10. Oral Presentations. The Town may require Proposers to give oral presentations in support of their Proposals, and to exhibit or otherwise demonstrate the information contained therein. Such presentations will be conducted privately, one Proposer at a time. Non-presenting Proposers will be excluded from any other Proposer's presentation. No oral presentation will be permitted, unless a Proposer has timely filed a complete written Proposal.
11. Negotiations. The Town may issue its Notice of Award on the basis of initial Proposals received without discussions or negotiations. Accordingly, the Town reserves the right to enter into Contract (and/or Contract negotiations) with any selected Proposer. If the Town and the selected Proposer cannot successfully negotiate a Contract acceptable to the Town, then the Town may declare that said negotiations are terminated and begin negotiations with an alternate selected Proposer. No Proposer shall have any rights against the Town (for purchase of the Property or otherwise) arising from such negotiations or the termination thereof.
12. Conflicting Provisions. The Contract will constitute the entire understanding and agreement between the Town and the selected Proposer, and shall set forth all the terms and conditions therefore. In the case of a conflict between this RFP and the Contract, the Contract shall control.
13. Proposal Award. The Town intends to enter into contract negotiations with the Proposer selected by the Town's RFP evaluation committee. If the selected Proposer (who shall receive a "Notice of Award" letter from the Town) fails to enter into negotiations or fails to execute and return the tendered Contract (together with any necessary documents, attachments, affidavits, and/or deposits) within ten (10) days after the issuance of such Notice of Award letter, then the Town, at its sole option, may determine and declare that said Proposer has abandoned the Contract, and a Notice of Award may be issued to the next most qualified and selected Proposer for the purchase of the Property. Neither

the issuance of a Notice of Award nor the negotiation of the Contract with the selected Proposer shall constitute the Town's acceptance of the Proposal or a binding commitment on behalf of the Town to enter into a Contract with such Proposer.

14. The Town of Riverhead reserves the right to reject any and all proposals if it is determined to be in the best interests of the Town. In addition, the Town assumes no responsibility or liability for costs incurred by respondents for the preparation/submission of a response to this request or for any subsequent requests made by the Town. Furthermore, the Town reserves the right to award or not award a contract for community vision meetings, charrette activity or both resulting from this request for proposals depending upon availability of funding.

Dated: _____

I have read the requirements for a selected Proposer, acknowledge, agree and accept the terms and requirements hereof, and will be able to comply with them if selected as the purchasing Proposer.

Proposer: _____

Name: _____

Title: _____

Company Name: _____

III. ATTACHMENTS

A. CDA BOARD RESOLUTION #2 DATED 1/21/09

B. TOWN OF RIVERHEAD TOWN CODE
SECTIONS 108 - 297 THROUGH 300 AND 301 THROUGH 304
(DOWNTOWN CENTER 1 AND 2: MAIN STREET ZONING USE
DISTRICT/DC-1 AND DC-2)

January 21, 2009

**TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY**

RESOLUTION #2

**AUTHORIZES PUBLICATION OF NOTICE TO SOLICIT PROPOSALS FOR
COMMUNITY VISIONING FOR PARCELS UNDER CONSIDERATION FOR
ACQUISITION BY THE TOWN OF RIVERHEAD**

_____ offered the following resolution,

which was seconded by _____:

WHEREAS, the Riverhead East Main Street Urban Renewal Area is a priority of the Town of Riverhead Board and has been the focus of numerous plans and studies, capital improvement projects and substantial investment by the Town of Riverhead.

WHEREAS, the Town of Riverhead through its Community Development Agency hereby solicits proposals from a creative and qualified consultant to conduct and facilitate community visioning for a potential redevelopment of parcels in the Riverhead East Main Street Urban Renewal Area under consideration for acquisition by the Town of Riverhead to include a minimum of three community outreach meetings and possibly to be followed by a charrette activity to examine alternatives for redevelopment and presents a preferred alternative; and

THEREFORE, BE IT RESOLVED, that Riverhead Town Board authorizes the issuance of the attached Request for Proposals.

THEREFORE, BE FURTHER IT RESOLVED, that the Riverhead Town Board hereby authorizes publishing and posting of the attached public notice in the Thursday, January 29, 2009, issue of the News Review and to post same on the signboard in Town Hall.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide notification of this resolution to the Community Development Director.

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

Please take notice that the Town of Riverhead through its Community Development Agency hereby solicits proposals from a creative and qualified consultant to conduct and facilitate community visioning for a potential redevelopment of parcels in the Riverhead East Main Street Urban Renewal Area under consideration for acquisition by the Town of Riverhead to include a minimum of three community outreach meetings and possibly followed by a charrette activity to examine alternatives for redevelopment and present a preferred alternative.

A Request for Proposals has been issued by the Town of Riverhead Community Development Agency and is available at the Town Clerk or through the Community Development Department during business hours or by calling 727-3200 ext. 287.

Dated: January 29, 2009

Diane M. Wilhelm
Town Clerk

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVI,
Downtown Center 1: Main Street (DC-1) Zoning Use District [Added 11-3-2004 by
L.L. No. 45-2004]**

**ARTICLE LVI, Downtown Center 1: Main Street (DC-1) Zoning Use District [Added
11-3-2004 by L.L. No. 45-2004]**

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVI,
Downtown Center 1: Main Street (DC-1) Zoning Use District [Added 11-3-2004 by
L.L. No. 45-2004] / § 108-297 Purpose and intent.**

§ 108-297 Purpose and intent.

The intent of the Downtown Center 1: Main Street (DC-1) Zoning Use District is to allow, maintain, and foster a traditional downtown character along Main Street, with a pedestrian-friendly streetscape, active ground-floor uses, a twenty-four-hour presence from upper-story residential, with a compact, walkable scale.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVI,
Downtown Center 1: Main Street (DC-1) Zoning Use District [Added 11-3-2004 by
L.L. No. 45-2004] / § 108-298 Uses.**

§ 108-298 Uses.

In the DC-1 Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for that following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses: [Amended 2-7-2006 by L.L. No. 8-2006]

- (1) Retail stores.
- (2) Banks.

- (3) Personal service businesses.
- (4) Indoor public markets.
- (5) Art galleries and studios.
- (6) Museums, libraries, aquariums and other cultural attractions.
- (7) Restaurants, cafes, bakeries with retail sale on premises, banquet facilities, specialty food stores, ice cream parlors.
- (8) Theaters and cinemas.
- (9) Professional offices (except for veterinary offices) on the ground floor.
- (10) Schools (including business and secretarial).
- (11) Places of worship.
- (12) Residential units on upper floors with a minimum unit size of 650 square feet.
- (13) Bed-and-breakfast establishments.
- (14) Townhouses upon lots with frontage along public highways other than New York State Route 25.

*Note: Subsequent to the date of enactment of this article, upon the issuance of certificates of occupancy for 500 residential units, such residential units as set forth in § 108-298(A)(13) shall be prohibited within the DC-1 Zoning Use District.

B. Special permit uses:

- (1) Hotels.
- (2) Marinas.
- (3) Taverns.
- (4) Indoor recreation facilities.
- (5) Day-care, nursery schools.
- (6) Dormitories, on upper floors.

(7) Retail stores with greater than 10,000 square feet of gross leasable floor area.

C. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically permitted are the following:

(1) Artists' studios, provided that they occupy 40% or less of a principal residence or are located in a detached accessory building on a residential pare, and do not exceed 1,000 square feet of floor area.

D. Prohibited uses:

(1) All ground-floor offices, with the exception of real estate and professional offices.

(2) Office-only buildings.

(3) Ground-floor residential units, with the exception of townhouse uses.

(4) Flea markets, with the exception of farmers markets.

(5) Gas stations, car washes, and other automobile-oriented uses.

(6) Drive-through windows for restaurants and banks.

(7) Antennas for wireless providers.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVI,
Downtown Center 1: Main Street (DC-1) Zoning Use District [Added 11-3-2004 by
L.L. No. 45-2004] / § 108-299 Lot, yard, bulk, and height requirements.**

§ 108-299 Lot, yard, bulk, and height requirements.

No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule^{EN(1)} incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVI,
Downtown Center 1: Main Street (DC-1) Zoning Use District [Added 11-3-2004 by
L.L. No. 45-2004] / § 108-300 Supplementary requirements.**

§ 108-300 Supplementary requirements.

The following design and parking standards shall apply:

A. Design standards.

- (1) The principal building entrance and front shall face the primary street frontage and sidewalk. Secondary building entrances on the south side of Main Street shall face the Peconic Riverfront.
- (2) At least 75% of linear width of the front facade shall be comprised of transparent windows. Where shade is desired, awnings are encouraged. Windows may not be obscured more than 10% by opaque banners, or either permanent or temporary advertisements or signs.
- (3) Building shape, massing, and siting should reflect the prevalent character of surrounding buildings on the block.
- (4) Facades of commercial buildings that face sidewalks or pedestrian walkways shall be required to have variations in facade plane, piers, or other architectural features.
- (5) Signage in the DC-1 Zoning Use District shall be provided in accordance with § 108-56, Signs.
- (6) Buffering and transitions:
 - (a) Trash and/or dumpster areas shall be screened by wood fences or landscaping, or a combination thereof pursuant to § 98-8.
 - (b) Buffer plantings or landscaping or opaque fences, preferably wood fences, shall be provided between commercial businesses and adjoining residential uses.
 - (c) Deliveries and loading activities shall, to the extent possible, be restricted to the hours between 8:00 a.m. and 5:00 p.m. on weekdays.

B. Parking standards.

- (1) The number of off-street parking spaces in the DC-1 Zoning Use District shall be provided in accordance with § 108-80, Off-street parking.
- (2) Where credible evidence is provided by traffic counts or data by a licensed traffic engineer, up to a twenty-percent reduction in off-street parking may be permitted for shared parking, where the peak parking of two or more uses occurs at different times.
- (3) The parking requirement may be reduced with payment of a fee in lieu of providing

off-street parking as provided for in § 108-60.

- (4) Off-street parking shall not be permitted in the front yard. Parking shall be sited to the rear of buildings, away from street frontage(s) when possible, or to the side of buildings. In all cases, garages and parking areas shall be recessed at least five feet from the primary front facade plane of the main building, and at least 15 feet back from the front property line.
- (5) Parking may also be located fully below buildings, partially below grade in a building, or at-grade within a building, provided it is fully enclosed and no entry is provided facing a public street or front yard. Structured parking that is partially below grade shall be screened from the street by steps, trellises, or screens.
- (6) Curb cuts to parking lots and garages shall be minimized by sharing driveways for access to adjacent parking lots. However, curb cuts and driveways are prohibited along the front property line for properties less than 30 feet in width; in these situations, parking must be accessed from a rear alley, side street, or shared rear lot.
- (7) Curb cuts, driveways, and garages shall meet the following dimensional regulations:
 - (a) Curb cuts and driveways at the front property line leading to parking areas of 10 or fewer spaces shall not exceed 10 feet in width along any point.
 - (b) Curb cuts and driveways at the front property line leading to parking areas of 11 or more spaces shall not exceed 14 feet in width at any point.
 - (c) The maximum width of garage entryways facing a front street shall not exceed 18 feet.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVII,
Downtown Center 2: Waterfront (DC-2) Zoning Use District [Added 11-3-2004 by
L.L. No. 46-2004]**

**ARTICLE LVII, Downtown Center 2: Waterfront (DC-2) Zoning Use District [Added
11-3-2004 by L.L. No. 46-2004]**

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVII,
Downtown Center 2: Waterfront (DC-2) Zoning Use District [Added 11-3-2004 by
L.L. No. 46-2004] / § 108-301 Purpose and intent.**

§ 108-301 Purpose and intent.

The intent of the Downtown Center 2: Waterfront (DC-2) Zoning Use District is to create a downtown waterfront area that meets the combined goals of continuous pathways and public waterfront access, generous open space and landscaping, and watershed protection through limits on impervious surfaces.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVII,
Downtown Center 2: Waterfront (DC-2) Zoning Use District [Added 11-3-2004 by
L.L. No. 46-2004] / § 108-302 Uses.**

§ 108-302 Uses.

In the DC-2 Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses:

- (1) Marina, resort.
- (2) Retail stores.

- B. Special permit uses:
- (1) Hotels, inns, and bed-and-breakfast establishments.
 - (2) Indoor recreation facilities.
- C. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically permitted are the following:
- (1) Restaurants, cafes, cafeterias.
 - (2) Outdoor storage of boats and other watercraft as an accessory use to a marina.
- D. Prohibited uses:
- (1) Offices.
 - (2) Gas stations, car washes, and other automobile-oriented uses.
 - (3) Drive-through windows for restaurants and banks.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVII,
Downtown Center 2: Waterfront (DC-2) Zoning Use District [Added 11-3-2004 by
L.L. No. 46-2004] / § 108-303 Lot, yard, bulk, and height requirements.**

§ 108-303 Lot, yard, bulk, and height requirements.

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule^{EN(1)} incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.
- B. In order to foster environmental conservation as well as preservation of the Town's scenic and rural quality, properties shall provide a contiguous open space area equal to at least 30% of the lot area. Such open space areas shall use native plant species to enhance the appearance and function of the riverfront as ecological habitat. In order to protect the health of the river, the use of lawns and other plantings which rely on fertilizers and herbicides is strongly discouraged at the rear of lots facing the river.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVII,**

Downtown Center 2: Waterfront (DC-2) Zoning Use District [Added 11-3-2004 by L.L. No. 46-2004] / § 108-304 Supplementary requirements.

§ 108-304 Supplementary requirements.

The following design and parking requirements shall apply.

A. Design standards.

- (1) All properties shall provide a pedestrian easement for a walking trail that connects to existing trails or provides the ability to connect to future trails on adjacent properties. Trails shall be at least four feet wide and constructed of a permeable surface.
- (2) New buildings and all other elements of the site plan, including access, parking areas and landscaped open space, shall be sited to preserve and enhance pedestrian pathways to, and view corridors of, the Peconic River.
- (3) All buildings in the DC-2 Zoning Use District shall provide entries to both a public street and the Peconic River walkway or trail.
- (4) For building facades facing West or East Main Street, at least 50% of the linear width of the facade shall be comprised of transparent windows. Where shade is desired, awnings are encouraged. Windows may not be obscured more than 10% by opaque banners, or either permanent or temporary advertisements or signs.
- (5) Signage in the DC-2 Zoning Use District shall be provided in accordance with § 108-56, Signs.
- (6) Buffering and transitions:
 - (a) Trash and/or dumpster areas shall be screened by wood fences or landscaping, or a combination thereof, pursuant to § 98-8.
 - (b) Buffer plantings or landscaping or opaque fences, preferably wood fences, shall be provided between commercial businesses and adjoining residential uses.
 - (c) Deliveries and loading activities shall, to the extent possible, be restricted to the hours between 8:00 a.m. and 5:00 p.m. on weekdays.

B. Parking standards.

- (1) The number of off-street parking spaces in the DC-2 Zoning Use District shall be provided in accordance with § 108-60, Off-street parking.
- (2) Where credible evidence is provided by traffic counts or data by a licensed traffic

engineer, up to a twenty-percent reduction in off-street parking may be permitted for shared parking, where the peak parking of two or more uses occurs at different times.

- (3) The parking requirement may be reduced with payment of a fee in lieu of providing off-street parking as provided for in § 108-60.
- (4) Off-street parking shall not be permitted In the front yard. Parking shall be sited to the rear of buildings, away from street frontage(s) when possible, or to the side of buildings. In all cases, garages and parking areas shall be recessed at least five feet from the primary front facade plane of the main building, and at least 15 feet back from the front property line.
- (5) Parking may also be located fully below buildings, partially below grade in a building, or at-grade within a building, provided it is fully enclosed and no entry is provided facing a public street or front yard. Structured parking that is partially below grade shall be screened from the street by steps, trellises, or screens.
- (6) Curb cuts to parking lots and garages shall be minimized by sharing driveways for access to adjacent parking lots. However, curb cuts and driveways are prohibited along the front property line for properties less than 30 feet in width; in these situations, parking must be accessed from a rear alley, side street, or shared rear lot.
- (7) Curb cuts, driveways, and garages shall meet the following dimensional regulations:
 - (a) Curb cuts and driveways at the front property line leading to parking areas of 10 or fewer spaces shall not exceed 10 feet in width along any point.
 - (b) Curb cuts and driveways at the front property line leading to parking areas of 11 or more spaces shall not exceed 14 feet in width at any point.
 - (c) The maximum width of garage entryways facing a front street shall not exceed 18 feet.
- (8) In order to soften the appearance of parking lots, parking lots shall be landscaped with ground cover, grasses or low shrubs for at least 15% of their land area. This landscaping requirement is in addition to the thirty-percent parcelwide landscaping mentioned above.
- (9) In order to provide shade, parking lots with 21 or more spaces shall have "orchard" planting: one tree per 10 off-street spaces. Such trees shall be spread throughout the parking lot and along the edges.
- (10) In order to provide recharge of the groundwater basin and minimize runoff into water bodies, at least one of the following stormwater management techniques shall be used in parking lots where underlying soils support infiltration of precipitation to the

groundwater:

- (a) Where sanding and salting are not used in the winter, low-traffic or seasonal parking-overflow areas of the parking lot shall be surfaced with porous pavement or gravel.
- (b) Landscaped areas of the parking lot shall be sited, planted, and graded in a manner to provide infiltration and detention of runoff from paved areas.

Adopted

January 21, 2009

COMMUNITY DEVELOPMENT AGENCY
Town of Riverhead

Resolution # 3

AUTHORIZES SUPERVISOR TO SIGN ATTACHED HOLD HARMLESS
AGREEMENT WITH LED DISPLAY TECHNOLOGY

Councilwoman Blass offered the following resolution,
which was seconded by COUNCILMAN DUNLEAVY

WHEREAS, LED Display Technologies is currently designing and developing new product and technology at the Stony Brook Incubator within EPCAL, and

WHEREAS, LED Display Technologies has requested permission to periodically test the electrical and mechanical components on the perimeter road at EPCAL, and

WHEREAS, LED Display Technologies represents that testing would takes place on average of three times per month, and

WHEREAS, the Town of Riverhead desires to cooperate with fledgling businesses in the spirit of the incubator concept,

NOW THEREFORE BE IT

RESOLVED, that the Town of Riverhead hereby permits LED Display Technologies the use of the perimeter road at EPCAL for consideration of one dollar (\$1.00) for a period of one year from the date of the agreement which fee shall be re-evaluated upon the conclusion of one year; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby directed to sign the attached Hold Harmless Agreement with LED Display Technologies and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to James M. Hoffman, President of LED Display Technologies, Monique Gablenz, Executive Director of the Stony Brook Incubator and the Offices of the Town Attorney.

absent
THE VOTE
Buckley yes no Wooten yes no
Dunleavy yes no Blass yes no
Cardinale yes no
THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Agreement, made this ____ day of January, 2009, by and between _____ (hereinafter "Indemnitor") and the Town of Riverhead (hereinafter "Town"), a municipal corporation authorized under the laws of the State of New York, with offices located at 200 Howell Avenue, Riverhead, NY 11901.

Whereas, Indemnitor wishes to have access to Town's property located at _____, and

Whereas, Town wishes to grant access provide it is indemnified and held harmless from any acts of the Indemnitor which result in harm or injury to persons or property,

NOW, THEREFORE, it is hereby agreed as follows:

To the fullest extent permitted by law, indemnitor shall indemnify and hold harmless the Town of Riverhead from and against claims, damages, losses and expense, including but not limited to attorneys' fees, arising out of or resulting from performance of the work, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property including loss therefrom, but only to the extent caused in whole or part by the negligent acts or omissions of indemnitor.

LED Display Technology, Inc.
By: JAMES M. HOFFMAN, President

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY
By: Philip J. Cardinale, Chairman