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9/15/92

543 RESOLUTION CALLING PUBLIC HEARING FOR EXTENSION TO THE RIVERHEAD SEWER DISTRICT TO SERVE CASILEN CORPORATION - OSBORNE AVENUE DEVELOPMENT

Councilman Prusinowski offered the following resolution which was seconded by Councilman Stark,

WHEREAS, a petition has been filed by the owners of Casilen Corporation for an extension to the Riverhead Sewer District to serve their project located on Osborne Avenue, Riverhead, New York, as more particularly described in the attached description, and

WHEREAS, a map and plan dated August 26, 1992, has been prepared by Malcolm Pirnie, consulting engineers to the Riverhead Sewer District and is on file for public inspection in the Office of the Riverhead Town Clerk during regular business hours, and

WHEREAS, the extension comprises the construction of a new lift station within the development to be owned and operated by the applicant and connection by force main in the bed of Osborne Avenue and Route 58 to a manhole as more particularly described in the map and plan, and

WHEREAS, all costs associated with this extension shall be borne by the applicant and the applicant will be required to pay for denitrification pursuant to resolution 500 of 1992 no net increase in the amount of \$6.50 per gallon of daily flow, with an estimated flow of 43,500 gallons per day, and

WHEREAS, Malcolm Pirnie has developed two alternatives for consideration by the Town Board for necessary improvements to existing pump stations and the construction of a new pump station at the applicant's property and necessary force main at a cost to the applicant not to exceed \$1,234,000, and

WHEREAS, the Town Board desires to call a public hearing to consider the map and plan,

NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and is hereby authorized to publish and post a Notice of Public Hearing to be held on the 6th day of October, 1992, at 7:20 P.M. to hear all interested persons with regard to the petition of Casilen Corporation for an extension to the Riverhead Sewer District to serve their project located on Osborne Avenue, Riverhead, New York, as more particularly described in the attached description, wherein the extension comprises the construction of a new lift station within the development to be owned and operated by the applicant and

connection by force main in the bed of Osborne Avenue and Route 58 to a manhole as more particularly described in the map and plan, and that such notice be published in the September 16, 1992 issue of the Suffolk Life Newspapers, and it is further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Superintendent of the Sewer District, Malcolm Pirnie, Pierre Lundberg, Esq., and Guy W. Germano, Esq. attorney for the applicant.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, ye
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

September 15, 1992

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA GRATTAN, TOWN CLERK

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of October, 1992, at 7:20 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an extention to the Riverhead Sewer District filed by Casilen Corporation to serve its property located on Osborne Avenue, Riverhead, New York, more particularly bounded and described as follows:

the petition of Casilen Corporation for an extension to the Riverhead Sewer District to serve its project located on Osborne Avenue, Riverhead, New York, as described on SCHEDULE A annexed hereto, wherein the extension comprises the construction of a new lift station within the development to be owned and operated by the applicant and connection by force main in the bed of Osborne Avenue and Route 58 to a manhole as described in the map and plan on file in and which may be reviewed at the Town Clerk's Office, 200 Howell Avenue, Riverhead, New York, during normal business hours Monday through Friday from 8:30 a.m. to 4:30 p.m.

Dated: Riverhead, New York
September 15, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

EXHIBIT 1

LEGAL DESCRIPTION

THAT CERTAIN piece, plot and parcel of land located in the Town of Riverhead, County of Suffolk and State of New York bounded and described as follows:

BEGINNING at the intersection of the northeast corner of lands now or formerly of Frank Mackael and the southern boundary of Middle Road;

THENCE South 72 degrees, 44 minutes, 10 seconds East along said Middle Road, a distance of 419.81 feet to a point;

THENCE still along Middle Road South 86 degrees, 43 minutes, 40 seconds East, a distance of 419.59 feet to a point in the intersection of the southern boundary of Middle Road with the western boundary of Osborn Avenue;

THENCE South 29 degrees, 08 minutes, 00 seconds East along the eastern boundary of Osborn Avenue, a distance of 1733.76 feet to a point;

THENCE South 69 degrees, 48 minutes, 00 seconds West, a distance of 275 feet to a point;

THENCE South 29 degrees, 08 minutes, 00 seconds East, a distance of 151.84 feet to a point;

THENCE North 69 degrees, 48 minutes, 00 seconds East, a distance of 275 feet to a point in the eastern boundary of Osborn Avenue;

THENCE South 29 degrees, 08 minutes, 00 seconds East along said Osborn Avenue, a distance of 141.40 feet;

THENCE South 69 degrees, 40 minutes, 00 seconds West, a distance of 143.60 feet to a point;

THENCE South 20 degrees, 20 minutes, 00 seconds East, a distance of 244.20 feet to a point;

THENCE South 69 degrees, 40 minutes, 00 seconds East, a distance of 230.00 feet to a point;

THENCE South 20 degrees, 20 minutes, 00 seconds East, a distance of 200 feet to a point;

THENCE South 69 degrees, 40 minutes, 00 seconds East, a distance of 40 feet to a point;

THENCE South 20 degrees, 20 minutes, 00 seconds East, a distance of 520.39 feet to a point;

10526 N.167

TRENCH South 86 degrees, 49 minutes, 00 seconds West, a distance of 654.98 feet to a point;

TRENCH North 19 degrees, 35 minutes, 00 seconds West, a distance of 29.41 feet;

TRENCH North 23 degrees, 48 minutes, 20 seconds West, a distance of 227.18 feet along lands now or formerly of Bernard Cosimano;

TRENCH North 29 degrees, 15 minutes, 50 seconds West, a distance of 133.45 feet still along lands of Cosimano;

TRENCH North 18 degrees, 41 minutes, 00 seconds West, a distance of 340.18 feet still along lands of Cosimano;

TRENCH North 10 degrees, 14 minutes, 20 seconds West, a distance of 265.29 feet to a point;

TRENCH North 19 degrees, 35 minutes, 40 seconds West along lands now or formerly of Frank Mackel, a distance of 1323.73 feet to a point;

TRENCH North 18 degrees, 27 minutes, 30 seconds West, a distance of 523.30 feet to a point;

TRENCH North 21 degrees, 33 minutes, 30 seconds West, a distance of 355.94 feet to the point and place of BEGINNING.

SAID PREMISES also being known as part of Lot 6, Block 2, Section 101 in District 600 on the Suffolk County Tax Map and designated as "Lot 3" on the minor subdivision map prepared for the Estate of Harry A. Finkelstein at Riverhead dated November 18, 1983 by Young & Young, and containing an area of 57.008 acres more or less.

544 ORDER ESTABLISHING LATERAL WATER MAIN PURSUANT TO SECTION 199 OF THE TOWN LAW, EXTENSION NO. 35

Councilperson Stark offered the following resolution which was seconded by Councilperson Prusinowski,

WHEREAS, by previous resolution this Board caused Extension No. 35 of the Riverhead Water District to be determined to be in the public interest and authorized the improvements provided in the map and plan as filed with the Town Clerk, and

WHEREAS, the Superintendent has recommended the looping of the water main as installed in Hulse Landing Road and Sound Avenue by the installation of an additional 5200 linear feet of 8 and 12 inch water mains with hydrants and appurtenances as detailed in the letter plan of H2M consulting engineers to the Riverhead Water District dated July 27, 1992, at a cost not to exceed \$132,000, and

WHEREAS, the cost is within the original monies allocated through the Extension No. 35 202-b proceedings, and

WHEREAS, a public hearing was held August 18, 1992, and all those wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board determines and finds that it is in the best interest of the properties served and benefitted by the Riverhead Water District to install 5200 linear feet of 8 and 12 inch water main as aforesaid and that it determines this to be a Type II action with no significant impact upon the environment, and be it further

RESOLVED, that the Town Board of the Town of Riverhead, as governing body of the Riverhead Water District, approves the installation of a lateral water main causing looping of the water main as installed in Hulse Landing Road and Sound Avenue by the installation of an additional 5200 linear feet of 8 and 12 inch water mains with hydrants and appurtenances, at a cost not to exceed \$132,000 to be paid from the bonded authorization of Extension No. 35 and 202-b portions thereof, and be it further

RESOLVED, that the Town Clerk forward certified copies of this resolution to H2M Group, Pierre Lundberg, Esq., and Gary Pendzick.

THE VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

9-15-92

545 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS FOR INSTALLATION OF WATER MAINS AND APPURTENANCES (WILDWOOD ROAD AND SOUND AVENUE)

COUNCILPERSON Creighton offered the following resolution, which was seconded by COUNCILPERSON Gilliam :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached notice to bidders for installation of water mains and appurtenances, Wildwood Road and Sound Avenue in the SEPTEMBER 23, 1992, issue of The Suffolk County Life.

DATED: Riverhead, New York
September 15, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA A. GRATTAN, Town Clerk

THE VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

9/15/92

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H2M GROUP HOLZMACHER, McLENDON & MURRELL, P.C.
ENGINEERS, ARCHITECTS, SCIENTISTS, PLANNERS and SURVEYORS

NOTICE TO BIDDERS

The Board of Riverhead will receive bids for Installation of Water Mains and Appurtenances for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at 11:00 AM, prevailing time, on Thursday, October 8, 1992, at which time and place all bids will be publicly opened and read for the following contract:

RDWD 92-51
WILDWOOD ROAD AND SOUND AVENUE
WATER MAIN INSTALLATION

Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead
Town Hall, 200 Howell Avenue
Riverhead, New York 11901

Holzmacher, McLendon & Murrell, P.C.
575 Broad Hollow Road
Melville, New York 11747

Copies of the contract documents may be obtained at the above locations on or after Wednesday, September 23, 1992, upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

Deposits for Plans and Specifications will be refunded to Bidders who return same in good condition within ten (10) days. Other deposits will either be partially or not refunded if the Plans and Specifications have not been returned in good condition within thirty (30) days after bids have been opened.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities, and to accept the lowest responsible bid.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: SEPTEMBER 15, 1992

9-15-92

546 ADOPTS LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM

COUNCILPERSON Gilliam offered the following resolution, which was seconded by COUNCILPERSON Creighton :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law electing a retirement incentive program; and

WHEREAS, a public hearing was held on the 1st day of September, 1992, at 7:30 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby adopts a local law electing a retirement incentive program as authorized by Chapter 643 of the Laws of 1992 for eligible employees of the Town of Riverhead; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the Suffolk County Life and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to all departments.

Dated: Riverhead, New York
September 15, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that the Town Board of the Town of Rivheread has adopted the following local law electing a retirement incentive program as authorized by Chapter 643, Laws of 1992, for the eligible employees of the Town of Riverhead:

BE IT ENACTED by the Town Board of the Town of Riverhead as follows:

Section 1. The Town of Riverhead hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 643, Laws of 1992.

Section 2. The commencement date of the retirement incentive program shall be October 15 , 1992.

Section 3. The open period during which eligible employees may retire and receive the additional retirement benefit, shall be thirty-three (33) days in length.

Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be funded over a five year period. The amount of the annual payment in each of the five years shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Riverhead for each employee who receives the retirement benefits payable under this local law.

Section 5. This local law shall take effect immediately upon filing with the Secretary of State.

BY ORDER OF THE RIVERHEAD TOWN BOARD
Barbara Grattan, Town Clerk

September 15, 1992
Riverhead, NY

Callahan, yes; Cawington, yes; Stark, yes; Prusiner, L. yes;
Sposki, yes.
The resolution was thereupon duly declared adopted.

9/15/92

547 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD:
PART-TIME CUSTODIAL WORKER

Councilperson Prusinowski offered the following resolution,
which was seconded by Councilperson Stark.

WHEREAS, by resolution adopted 9/1/92, this Town Board did authorize the publication of a Help Wanted Ad for a part-time Assistant Cook at the Nutrition Center due to a reorganization of the Nutrition Center; and

WHEREAS, it is the recommendation of the Nutrition Site Manager that a part-time Custodial Work be hired rather than a part-time Assistant Cook.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following "Help Wanted" ad for the position of Part-Time Custodial Worker with the Town of Riverhead Nutrition Center in the September 16, 1992 issue of Suffolk Life Newspapers.

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Part-Time Custodial Worker with the Town of Riverhead Nutrition Center. Applicants for the position of Part-Time Custodial Worker should possess the physical strength and dexterity to move inventory and perform general maintenance tasks. Interested individuals must submit an application to the Accounting Department, 200 Howell Avenue, Riverhead, NY between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications will be accepted for this position after September 25, 1992. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age or handicapped status in employment or the provision of services.

BY ORDER OF THE RIVERHEAD TOWN BOARD

Barbara Grattan, Town Clerk

Dated: September 15, 1992
Riverhead, NY

VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

9/15/1992

548 APPOINTS SCHOOL CROSSING GUARD TO POLICE DEPARTMENT

Councilperson Stark offered the following resolution, which was seconded by Councilperson Prusinowski.

WHEREAS, a vacancy now exists in the position of School Crossing Guard of the Police Department; and

NOW, THEREFORE, BE IT RESOLVED, that JOHN MADDOX be and is hereby appointed to the position of School Crossing Guard of the Town of Riverhead at the hourly rate of \$7.29 effective September 15, 1992; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to John Maddox, Chief Grattan and the Office of Accounting.

VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES.

The resolution was thereupon duly declared adopted.

9/15/1992

#-549-----APPOINTS PART-TIME DETENTION ATTENDANT TO POLICE DEPARTMENT

Councilperson--Creighton---- offered the following resolution, which was seconded by Councilperson--Gilliam-----.

WHEREAS, a vacancy exists in the position of part-time Detention Attendant of the Police Department; and

NOW, THEREFORE, BE IT RESOLVED, that JOHN JACOBS be and is hereby appointed to the position of Part-Time Detention Attendant of the Town of Riverhead at the hourly rate of \$11.20 effective September 15, 1992; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to John Jacobs, Chief Grattan and the Office of Accounting.

THE VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 YES. The resolution was thereupon duly declared adopted.

9-15-92

550 REDUCES PERFORMANCE BOND OF JOSEPH FUCHS FOR SUBDIVISION KNOWN AS "MANOR LANE ESTATES"

COUNCILPERSON Gilliam offered the following resolution, which was seconded by COUNCILPERSON Creighton :

WHEREAS, a performance bond in the original amount of \$111,000.00 was posted by Joseph Fuchs for improvements for roads and drainage in the subdivision known as "Manor Lane Estates"; and

WHEREAS, said bond was reduced to \$60,000.00 pursuant to a letter from John I. Johnsen, P.E., consulting engineer to the Riverhead Planning Board; and

WHEREAS, a further reduction of said bond to \$30,000.00 was recommended by letter dated August 20, 1992, from John I. Johnsen.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes that the performance bond of Joseph Fuchs for the improvements for roads and drainage in the subdivision known as "Manor Lane Estatic" be and is hereby reduced to \$30,000.00; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Joseph Fuchs and the Riverhead Planning Board.

E VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

September 15, 1992

551 AUTHORIZES ROBERT O'ROURKE TO HOLD AUTO PARTS SWAP MEET
CAR SHOW

Councilperson Prusinowski offered the following resolution which was seconded by Councilperson Stark.

WHEREAS, Robert O'Rourke has made an application to hold an open-air Auto Parts Swap Meet and Car Show to be held on October 4, 1992 (rain date October 18, 1992) from 9:00a.m. to 5:00p.m. at premises owned by World Life Entertainment, Inc. (commonly known as Riverhead Raceway), Route 58, Riverhead, New York; and

WHEREAS, a certificate of insurance is on file with the Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED, that Robert O'Rourke be and is hereby authorized to hold an open-air Auto Parts Swap Meet and Car Show on October 4, 1992 (rain date October 18, 1992) from at the time and premises described above; and

BE IT FURTHER RESOLVED, that this approval is conditioned upon the applicant's removal of all trash, rubbish and other debris within 24 hours of said Auto Parts Swap Meet and Car Show; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert O'Rourke and the Riverhead Police Department.

4E VOTE: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

9-15-92

552 WAIVES PERFORMANCE BOND REQUIREMENT REQUIRED UNDER RESOLUTION #504 APPROVING THE SITE PLAN OF BIRCHWOOD RESTAURANT

COUNCILPERSON Stark offered the following resolution, which was seconded by COUNCILPERSON Prusinowski :

WHEREAS, the Town Board adopted Resolution #504 on August 18, 1992, approving the site plan of Birchwood Restaurant for renovations to the building facade and kitchen; and

WHEREAS, Paragraph 7 of said resolution requires the posting of a performance bond to assure the performance of all the conditions of the building permit; and

WHEREAS, by letter dated September 3, 1992, Michael P. Jacobchek has requested that the bond requirement be waived; and

WHEREAS, the Town Board of the Town of Riverhead has considered said request.

NOW, THEREFORE, BE IT

RESOLVED, that Town Board of the Town of Riverhead hereby waives the requirement for the posting of a performance bond as required by Paragraph 7 of Resolution #504 adopted August 19, 1992; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Michael P. Jacobchek, the Riverhead Building Department and the Riverhead Planning Department.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

MARINA GRANT, Town Clerk

NOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Jansoki, yes. 5 YES

The resolution was thereupon duly declared adopted.

553

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER AN AMENDMENT TO , CHAPTER 108 "ZONING" OF THE RIVERHEAD TOWN CODE ARTICLE I "GENERAL PROVISIONS", SECTION 108-3 "DEFINITIONS"

COUNCILPERSON Creighton offered the following resolution, which was seconded by COUNCILPERSON Gilliam :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider amending Chapter 108 "Zoning" of the Riverhead Town Code, Article I "General Provisions" at Section 108-3 "Definitions":

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of October, 1992, at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider amending Chapter 108 "Zoning" of the Riverhead Town Code, Article I "General Provisions", Section 108-3 "Definitions" as follows:

MOTOR VEHICLE REPAIR SHOP - The business use of premises, the sole purpose of which is the repair or replacement of the mechanically functioning parts of motor vehicles.

Dated: Riverhead, New York
September 15, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

*~~overstrike~~ represents deletion(s)
*underscore represents addition(s)

VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

9-15-92

554

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER AN AMENDMENT TO CHAPTER 108 "ZONING" OF THE RIVERHEAD TOWN CODE ARTICLE XI "INDUSTRIAL A DISTRICT (LIGHT INDUSTRIAL), SECTION 108-45(B) "SPECIAL EXCEPTIONS AND SPECIAL PERMIT USES"

COUNCILPERSON Creighton offered the following resolution, which was seconded by COUNCILPERSON Gilliam:

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an amendment to Chapter 108 "Zoning" of the Riverhead Town Code Article XI "Industrial A District (Light Industrial) at Section 108-45(B) "Special exceptions and special permit uses.":

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of October, 1992, at 7:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Chapter 108 "Zoning" of the Riverhead Town Code Article XI "Industrial A District (Light Industrial) at Section 108-45(B) "Special exceptions and special permit uses." as follows:

108-45. Uses.

- B. Special exception and special permit uses. Except where Town Board approval is required herein for a special exception or special permit use, such use shall be subject to approval by the Board of Appeals pursuant to Sections 108-75, 108-76 and 108-77 of this chapter.

(15) Body and fender repair shop, by special permit of the Town Board.

(16) Motor vehicle repair shop, by special permit of the Town Board.

Dated: Riverhead, New York
September 15, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

*~~overstrike~~ represents deletion(s)

*underscore represents addition(s)

VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

9-15-92

555

_____ AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER AN AMENDMENT TO CHAPTER 108 "ZONING" OF THE RIVERHEAD TOWN CODE ARTICLE XII "INDUSTRIAL B DISTRICT (GENERAL INDUSTRY), SECTION 108-48(B) "SPECIAL EXCEPTIONS AND SPECIAL PERMIT USES"

COUNCILPERSON Creighton offered the following resolution, which was seconded by COUNCILPERSON Gilliam :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an amendment to Chapter 108 "Zoning" of the Riverhead Town Code Article XII "Industrial B District (General Industry), Section 108-48(B) "Special exceptions and special permit uses":

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of October, 1992, at 7:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Chapter 108 "Zoning" of the Riverhead Town Code Article XII "Industrial B District (General Industry), Section 108-48(B) "Special exceptions and special permit uses" as follows:

108-48. Uses.

- B. Special exception and special permit uses. Except where Town Board approval is required herein for a special exception or special permit use, such use shall be subject to approval by the Board of Appeals pursuant to Sections 108-75, 108-76 and 108-77 of this chapter.

(15) Body and fender repair shop, by special permit of the Town Board.

(16) Motor vehicle repair shop, by special permit of the Town Board.

Dated: Riverhead, New York
September 15, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

*~~overstrike~~ represents deletion(s)

*underscore represents addition(s)

NOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

9-15-92

556

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER AN AMENDMENT TO CHAPTER 108 "ZONING" OF THE RIVERHEAD TOWN CODE ARTICLE XXXIII "BUSINESS E HIGHWAY COMMERCIAL/SERVICE ZONE AT SECTION 108-161(B) COVERING SPECIAL PERMIT USES

COUNCILPERSON Creighton offered the following resolution, which was seconded by COUNCILPERSON Gilliam :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an amendment to Chapter 108 "Zoning" of the Riverhead Town Code Article XXXIII "Business E Highway Commercial/Service Zone, Section 108-161(B) covering special permit uses:

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of October, 1992, at 7:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Chapter 108 "Zoning" of the Riverhead Town Code Article XXXIII "Business E Highway Commercial/Service Zone at Section 108-161(B) covering special permit uses as follows:

108-161. Uses.

- B. Uses subject to issuance of a special permit by the Town Board in accordance with Section 108-3 of this chapter.

(13) Body and fender repair shop.

(14) Motor vehicle repair shop.

Dated: Riverhead, New York
September 15, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

*~~overstrike~~ represents deletion(s)
*underscore represents addition(s)

THE VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

9-15-92

557

_____ ADOPTS AMENDMENT TO CHAPTER 108 "ZONING" OF THE RIVERHEAD TOWN CODE BY ADDING SECTION 108-51.2 ENTITLED "SETBACKS FOR WOOD DECKS"

COUNCILPERSON Gilliam offered the following resolution, which was seconded by COUNCILPERSON Creighton :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amending Chapter 108 "Zoning" of the Riverhead Town Code by adding Section 108-51.2 entitled "Setbacks for Wood Decks" to Article XIII "Supplementary Use Regulations"; and

WHEREAS, a public hearing was held on the 1st day of September, 1992, at 7:10 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board has issued its negative declaration regarding the amendment to the Riverhead Town Code and that this amendment will not have a significant impact upon the environment pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that the amendment to Chapter 108 "Zoning" of the Riverhead Town Code by adding Section 108-51.2 entitled "Setbacks for Wood Decks" to Article XIII "Supplementary Use Regulations" be and is hereby adopted as follows:

108-51.2 Setbacks for wood decks.

Unenclosed, residential wood decks, no higher than eighteen (18") inches above natural grade, shall not exceed the following side yard and rear yard setbacks in the following zoning use districts:

<u>Residence A:</u>	<u>side yard:</u>	<u>30 feet</u>
	<u>rear yard:</u>	<u>20 feet</u>
<u>Agriculture A:</u>	<u>side yard:</u>	<u>30 feet</u>
	<u>rear yard:</u>	<u>20 feet</u>
<u>Residence B:</u>	<u>side yard:</u>	<u>20 feet</u>
	<u>rear yard:</u>	<u>15 feet</u>
<u>Residence C:</u>	<u>side yard:</u>	<u>10 feet</u>
	<u>rear yard:</u>	<u>10 feet</u>

Residence D:

side yard: 10 feet
rear yard: 10 feet

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Suffolk County Life and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Building Department and the Planning Department.

Dated: Riverhead, New York
September 15, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

*overstrike represents deletion(s)
**underscore represents addition(s)

VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

#558

APPROVES SITE PLAN OF CALVERTON LINKS

Councilperson Prusinowski offered the following resolution, which was seconded by Councilperson stark :

WHEREAS, a site plan and elevations were submitted by William Schulman for the construction of a nine (9) hole golf course, clubhouse, maintenance building, and related site improvements located at the west side of Edwards Avenue, north of the Long Island Rail Road, Calverton,, New York, known and designated as Suffolk County Tax Map Number 0600-137-1-2.1; and

WHEREAS, the Planning Department has reviewed the site plan dated last July 31, 1992, as prepared by Design Properties Northeast Ltd., 76 Union Ave., Ronkonkoma, N.Y. 11779, and elevations dated in-house June 10, 1992, as prepared by Frederick Ercolino, 600-1 N. Bicycle Path, Port Jefferson Station, N.Y. 11776, for the clubhouse and a drawing for the maintenance building dated in-house June 10, 1992, for a wood and steel panel construction Morton building, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Type I Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, a copy of the site plan has been marked and initialled by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by William Schulman, for the construction of a nine (9) hole golf course, clubhouse, maintenance building, and related site improvements, located at the west side of Edwards Avenue, north of the Long Island Rail Road, Calverton,, New York, site plan dated last July 31, 1992, as prepared by Design Properties Northeast Ltd., 76 Union Ave., Ronkonkoma, N.Y. 11779, and elevations dated in-house June 10, 1992, as prepared by Frederick Ercolino, 600-1 N. Bicycle Path, Port Jefferson Station, N.Y. 11776, for the clubhouse and a drawing for the maintenance building dated in-house June 10, 1992, for a wood and steel panel construction Morton building, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;

8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;

9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "**No Parking, Handicap Only**", and the universal symbol affixed thereto. Further, by execution and filing of this document, William Schulman hereby authorizes and consents to the Town of Riverhead to enter premises at the west side of Edwards Avenue, north of the Long Island Rail Road, Calverton,, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

11. That all utilities shall be constructed underground;

12. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to ph, organic content, and gradation;

14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock", as published by the American Association of Nurserymen;

15. That the road width shall be a minimum paved width of twenty-two feet (22');

16. That this approval shall be subject of the requirements of the Superintendent of Highways for any improvements deemed necessary within the Town of Riverhead right-of-way along the property frontage on Edwards Avenue;

17. That the applicant must install, maintain and operate a meter on the proposed irrigation well to measure consumption. Annual pumpage shall not exceed 13 million gallons. Inspection and testing shall be in conformance with the relevant Article 15, Title 15, NYSDEC Long Island Wells Permit;

18. Low maintenance areas including outer roughs, driving ranges and non-playing areas shall not be irrigated;

19. Water use and groundwater quality shall be maintained by those practices described in the relevant SEQRA record for this project in general and the supplemental EIS "Golf Course Alternative" (Design Properties Northeast 1991) and Riverhead Town Board Findings Statement in particular;

20. Trees and areas identified for preservation will be protected by the placement of effective barriers to prevent damage during construction. No vehicles of any kind should pass beyond these barriers and materials will not be stored in these areas. Barriers to protect trees will be placed at a distance from the tree of at least one foot for each inch of tree diameter at breast height (DBH). The applicant is responsible for ensuring that the principal contractor and all construction personnel are aware of the importance of protecting the identified trees and natural areas;

21. The applicant or subsequent owner will require that the golf course manager keep accurate records of all pesticide and fertilizer applications. The records shall include the name of the chemical, the amount used, the location applied (e.g. green #, fairway #), and the date. These records are to be maintained and made available for review by the Riverhead Town Board upon request;

22. The applicant or subsequent owner will take a water sample from each of the three sampling wells as shown on the Monitoring Well Locations map and cross-section, attached, for the Calverton Links by Design Properties and from wetlands #1, 2, and 3 analyzed for pesticides and nitrate content periodically according to the following schedule. The samples will be taken and analyzed prior to commencement of construction in order to provide baseline data for comparison with future samples. Future samples will be taken and analyzed annually for as long as the data is deemed necessary by this Department. Test results for each sample shall be provided to the DEC Region I Office of the Rivers Program;

23. There is to be no clearing or disturbance to the wetlands or upland habitat from January 15 to March 15 in any year to avoid impacts to migrating tiger salamanders;

24. Upland areas of approximately 2 acres associated with "Wetland Area #1", identified on approved plan (FWW ID #R-42) shall be planted with native groundcovers and woody species which will then remain undisturbed to provide suitable burrowing areas for the tiger salamander;

25. Low "bunker areas" shall be included on the fairway as shown on attached "figure 8" to provide a migration path between the upland habitat areas and the pond;

26. Surface runoff from irrigation and leaching of fertilizers/chemicals to wetlands and surface waters shall be limited by use of the practices described in the supplemental environmental impact statement entitled "Golf Course Alternative" prepared by Design Properties North East dated 11/91;

27. Freshwater wetlands and associated uplands shall be revegetated in accordance with the plant list (figure 4) and "section thru wetland area" (figure 3).;

28. The permittee shall incorporate the following language as a restrictive covenant. "Regulated freshwater wetlands associated with FWW ID #R-5 and R-42 are located as shown on plans by Design Properties dated 2/5/92 identified as Wetland Areas #1, 2, 3, and 4 on the properties of William Schulman and his heirs, assigns or successors. This property is subject to the provisions of ECL Article 24, and the conduct of regulated activities may occur only pursuant to ECL Article 24 if prior approval is given by the New York State Department of Environmental Conservation (NYSDEC). Regulated activities include, but are not limited to clearing of vegetation; application of chemicals; excavation; grading and filling; and erection of any structure(s).";

29. That in order to control the siltation of and minimize the sedimentation of wetland areas, the use of silt fence and haybales shall be required on the landward edge of freshwater wetland areas; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to William Schulman, Design Properties Northeast Ltd., the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and the Office of the Town Attorney.

NOW, THEREFORE, THE DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, and warrant that the facts and circumstances herein stated are true and correct, and that the Declarant is the owner of the property herein described.

VOTE: Gilliam, yes; Creighton yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

1. That the provisions of the Riverhead Town Code which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signs shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signs so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-54 of the Riverhead Town Code shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1992, made by William Schulman, residing at 18 East 81 Street, New York, N.Y. 10028, Declarant.

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns; to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;

7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;

8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "**No Parking, Handicap Only**", and the universal symbol affixed thereto;

9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

10. That all utilities shall be constructed underground;

11. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to ph, organic content, and gradation;

13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;.

Declarant has hereunto set his (her) hand and seal the day and year above first written.

William Schulman

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1992, before me personally came William Schulman, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at the west side of Edwards Avenue, north of the Long Island Rail Road, Calverton,, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

001.071803.518606	SEARCHES, DEEDS, ETC.	200.00
001.073100.518702	YOUTH PROGRAM, SWIMMING	100.00
001.076203.541003	ADULT REC. TRIP WITNESS	300.00
001.010100.542807	TOWN BOARD, OFFICE SUPPL.	500.00
001.011100.542100	JUSTICE, EQUIPMENT	100.00
001.016200.524000	SHARPED DEPT., TYRE MAINT	150.00
001.031250.517100	POLICE, SEASONAL EMPL.	10000.00
001.031220.524287	RAY CONSTABLE, WAT SUPPLIES	200.00
001.031220.527113	RAY CONSTABLE, WAT REPAIRS	300.00
001.031220.541045	RAY CONSTABLE, WAT REPAIRS	300.00
001.070100.543100	TRAIN PROGRAMS, LITTLE LEAGUE	1000.00
001.016200.543405	ADULT REC. TRIP WITNESS	300.00
001.071100.508600	SEARCHES, UTILITIES	300.00
001.071403.541800	PLANNING & REC. CENTER, REPAIRS	1000.00
001.071800.547112	SEARCHES, UTILITIES	1000.00
001.073100.543401	TRAIN PROGRAMS, LITTLE LEAGUE	1000.00
001.076200.543508	ADULT REC. TRIP WITNESS	300.00
001.010100.542100	TOWN BOARD, OFFICE SUPPL.	500.00
001.010100.524000	TOWN BOARD, EQUIPMENT	100.00
001.011100.524000	JUSTICE, EQUIPMENT	100.00
001.016200.541007	SHARPED DEPT., TYRE MAINT	150.00
001.031250.517100	POLICE, SEASONAL EMPL.	10000.00
001.031220.524287	RAY CONSTABLE, WAT SUPPLIES	200.00
001.031220.527113	RAY CONSTABLE, WAT REPAIRS	300.00
001.031220.541045	RAY CONSTABLE, WAT REPAIRS	300.00

Witness, yes; Calverton, yes; State, yes; President, yes;
Jansaki, yes.
The resolution was thereupon duly declared adopted.

NO. 559

DATE: SEPTEMBER 15, 1992

COUNCILPERSON Prusinowski OFFERED THE FOLLOWING
RESOLUTION WHICH WAS SECONDED BY COUNCILPERSON Stark.

BE IT RESOLVED, THAT THE SUPERVISOR BE AND HEREBY IS, AUTHORIZED
TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

BUDGET ADJUSTMENT
GENERAL FUND

FROM:

001.050100.542609	TRANSP.ADMIN., ADVERTISING	\$ 800.00
001.071100.518607	PARKS, SEASONAL EMPLOY.	500.00
001.071400.515605	PLAYGROUND & REC.CENTER, SECURITY	1000.00
001.071800.518606	BEACHES, LIFEGUARD	2000.00
001.073100.518752	YOUTH PROGRAM, SWIMMING	1000.00
001.076200.541000	ADULT REC., MAINTENANCE	500.00
001.010100.542607	TOWN BOARD, ORD.CODIFICATION	800.00
001.011100.542100	JUSTICE, MISC.SUPPLIES	160.00
001.016200.524000	SHARED SERVICE, EQUIPMENT	150.00
001.031200.511100	POLICE, PERSONAL SERVICES	26000.00
001.031220.524227	BAY CONSTABLE, EMERG. LIGHTS	300.00
001.031220.542319	BAY CONSTABLE, BOAT SUPPLIES	200.00
001.031220.541545	BAY CONSTABLE, BOAT REPAIRS	300.00

TO:

001.050100.546100	TRANSP.ADM., TELEPHONE	\$ 800.00
001.070200.543405	REC.ADM., TRAVEL	1000.00
001.071100.546000	PARKS, UTILITIES	500.00
001.071400.541000	PLAYGROUND & REC.CENTER, REPAIRS	1000.00
001.071800.542112	BEACHES, SUPPLIES	1000.00
001.073100.543601	YOUTH PROGRAMS, LITTLE LEAGUE	1000.00
001.076200.543608	ADULT REC., PHYS.FITNESS	500.00
001.010100.542100	TOWN BOARD, OFFICE SUPPL.	500.00
001.010100.524000	TOWN BOARD, EQUIPMENT	300.00
001.011100.524000	JUSTICE, EQUIPMENT	160.00
001.016200.541407	SHARED SERV., TYPE.MAINT	150.00
001.031250.517100	POLICE, SICK BONUS	6000.00
001.031200.518605	POLICE, SEASONAL EMPL.	20000.00
001.031220.512500	BAY CONSTABLE, OVERTIME	800.00

VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES.

The resolution was thereupon duly declared adopted.

NO. 560DATE: SEPTEMBER 15, 1992

COUNCILPERSON Stark OFFERED THE FOLLOWING
RESOLUTION WHICH WAS SECONDED BY COUNCILPERSON Prusinowski.

BE IT RESOLVED, THAT THE SUPERVISOR BE AND HEREBY IS, AUTHORIZED
TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

BUDGET ADJUSTMENT
HIGHWAY FUND

	FROM:
111.051400.549000 HIGHWAY MISCELLANEOUS	\$1000.00
	TO:
111.051400.523009 HIGHWAY, TREES	\$1000.00

NOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes; 5 YES
The resolution was thereupon duly declared adopted.

NO. 561

DATE Sept. 15, 1992

COUNCILPERSON Creighton OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY **COUNCILPERSON** Gilliam

BE IT RESOLVED, THAT THE SUPERVISOR BE AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

BUDGET ADJUSTMENT
GENERAL TOWN

114.081300.541425	GENERATOR MAINT/STATION	FROM: \$1,000.00
114.081300.541405	PLANT GENERATOR MAINT.	TO: \$1,000.00

006.076250.515301	TOURNAMENT, PARK ATTENDANTS	TO: 700.00
006.076250.542300	TOURNAMENT, SUPPLIES	200.00

E VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 YES
The resolution was thereupon duly declared adopted.

006.071800.544300	LIFEGUARDS, AWARDS & TROPHIES	TO: 150.00
006.071800.524906	LIFEGUARD, EQUIPMENT	200.00
006.071800.542322	LIFEGUARD, SUPPLIES	200.00

Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 YES
The resolution was thereupon duly declared adopted.

NO. 562

DATE: SEPTEMBER 15, 1992

COUNCILPERSON Gilliam OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY **COUNCILPERSON** Creighton.

BE IT RESOLVED, THAT THE SUPERVISOR BE AND HEREBY IS, AUTHORIZED
TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

BUDGET ADJUSTMENT

RECREATION FUND
(POLISH FAIR TOURNAMENT)

006.072089.421405	SOFTBALL TOURNAMENT FEE	FROM:	\$900.00
		TO:	
006.076250.515501	TOURNAMENT, PARK ATTENDANTS		700.00
006.076250.542300	TOURNAMENT, SUPPLIES		200.00

(RED CROSS LIFEGUARDS)

006.071800.471000	RED CROSS DONATION	FROM:	\$650.00
		TO:	
006.071800.544300	LIFEGUARDS, AWARDS & TROPHIES		150.00
006.071800.524908	LIFEGUARD, EQUIPMENT		300.00
006.071800.542322	LIFEGUARD, SUPPLIES		200.00

NOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES
The resolution was thereupon duly declared adopted.

APPROVES SITE PLAN OF RIVERHEAD GRILL (WOOD DECK)

Councilperson Prusinowski offered the following resolution, which was seconded by Councilperson Stark:

WHEREAS, a site plan and elevations were submitted by Elizabeth Strebel for the construction of a wood deck located at 85 East Main Street (New York State Route 25), Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128-6-78; and

WHEREAS, the Planning Department has reviewed the site plan dated last September 1, 1992, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, N. Y. 11901, and elevations dated July 21, 1992, as prepared by Unknown, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Type II Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, a copy of the site plan has been marked and initialled by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Elizabeth Strebel, for the construction of a wood deck, located at 85 East Main Street (New York State Route 25), Riverhead, New York, site plan dated last September 1, 1992, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, N. Y. 11901, and elevations dated July 21, 1992, as prepared by Unknown, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the

Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

7. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

8. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

9. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to ph, organic content, and gradation;

10. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Elizabeth Strebels, the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski yes. 5 YES

The resolution was thereupon duly declared adopted.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1992, made by Elizabeth Strebels, residing at 85 East Main Street, Riverhead, N. Y. 11901, Declarant.

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns; to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

6. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

7. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

8. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to ph, organic content, and gradation;

9. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his (her) hand and seal the day and year above first written.

Elizabeth Strebel

9/15/92

960

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1992, before me personally came Elizabeth Strebek, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at 85 East Main Street (New York State Route 25), Riverhead, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

172: William, yes; Craig, yes; Janoski, yes.
The resolution was that...

AWARDS FOR THE ELECTRONIC METER BOOKS

COUNCILPERSON Gilliam offered the following resolution, which was seconded by COUNCILPERSON Gilliam

DATE September 15, 1992

NO. 564

COUNCILPERSON Stark offered the following resolution which was seconded by COUNCILPERSON Prusinowski.

RESOLVED, that the Supervisor be and hereby is, authorized to establish the following Budget Adoption.

BUDGET ADOPTION
ELECTRONIC METER BOOK
CAPITAL PROJECT

FROM:

406.083100.482220.30025 TRANSFER FROM REPAIR AND MAINTENANCE \$35,000.00

TO:

406.083100.524200.30025 ELECTRONIC METER BOOK EQUIPMENT \$35,000.00

THE VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

9/15/92
9-15-92

962

565

AWARDS BID FOR ELECTRONIC METER BOOKS

COUNCILPERSON Creighton offered the following resolution, which was seconded by **COUNCILPERSON** Gilliam:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for electronic meter books; and

WHEREAS, bids were received, opened and read aloud on the 8th day of September, 1992, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for electronic meter books be and is hereby awarded to Sensus Technologies, Inc.; and be it further

RESOLVED, that the Town Board hereby directs the Town Clerk to return any and all bid bonds received in connection with the above; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Sensus Technologies, Inc., P. O. Box 487, Uniontown, PA, 15401; the Riverhead Water District; and the Purchasing Department.

OTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

9/15/92

566 AUTHORIZES SUBMISSION OF PRELIMINARY APPLICATION TO THE
STATE OF NEW YORK RE: JOBS BOND ACT

Councilperson Gilliam offered the following resolution,
which was seconded by Councilperson Creighton.

WHEREAS, The Jobs Bond Act shall be a matter of referendum
on the day of the 1992 General Election; and

WHEREAS, the purpose of this program is to "provide for
payment of the State share of the cost of eligible infrastructure
projects, the purpose of which is to promote, stimulate or
support economic activity resulting in the retention or creation
of permanent private-sector jobs"; and

WHEREAS, the Town Board of the Town of Riverhead wishes to
make preliminary application for submission to the State for
consideration under the Jobs Bond Act detailing an infrastructure
project which shall cause the extension of sewer main to the
Route 58 business and industrial corridor and any other projects
which may be determined by the Town Board as eligible projects;
and

WHEREAS, the State of New York Department of Economic
Development shall be accepting proposals for the period September
15, 1992 through October 5, 1992.

NOW, THEREFORE, BE IT RESOLVED, that the submission of a
Town of Riverhead preliminary application to the State of New
York for consideration under the Jobs Bond Act be and is hereby
authorized.

RESOLVED, that the amendment to Chapter 106 of the Riverhead
Town Code at Section 106-1 "Definitions" be and is hereby adopted
as follows:

3. Definitions.

JTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

9-15-92

567

ADOPTS AMENDMENT TO CHAPTER 108 "ZONING" OF THE
RIVERHEAD TOWN CODE AT SECTION 108-3 "DEFINITIONS"

COUNCILPERSON Prusinowski offered the following resolution, which was seconded by COUNCILPERSON Stark :

WHEREAS, the Town Clerk was directed to publish and post a public notice to hear all interested persons to consider amending Chapter 108 of the **Riverhead Town Code** at Section 108-3 "Definitions"; and

WHEREAS, a public hearing was held on the 1st day of September, 1992, at 7:20 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, the Riverhead Town Board has completed an environmental assessment identifying the potential impact of this amendment; and

WHEREAS, that in the matter of the proposed amendment to the Zoning Ordinance of the Town of Riverhead, the Riverhead Town Board declares itself to be the lead agency and determines the action to be Type I without a significant impact upon the environment and that a draft environmental impact statement shall not be prepared.

NOW, THEREFORE, BE IT

RESOLVED, that the amendment to Chapter 108 of the **Riverhead Town Code** at Section 108-3 "Definitions" be and is hereby adopted as follows:

108-3. Definitions.

Manufacturers Outlet Center - Any building or buildings used by one (1) or more enterprises operated by the manufacturer for sale at retail or wholesale of first quality goods, overruns, and factory seconds. Factory goods shall occupy a minimum of seventy percent of the total floor area. In a Manufacturers Outlet Center, each enterprise shall mainly purvey only those products originally manufactured or distributed by the affiliate enterprise.

Food Court - An establishment for the preparation of food which, by design of physical facilities, permits or encourages limited consumption of food on either countertops and/or seating areas. Specifically excluded are

restaurants, drive-ins or curb establishments. Such use shall be incidental to the primary use.

and be it further

RESOLVED, that the Town Clerk be and is hereby directed to publish a copy of this resolution once in the **Suffolk County Life** and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Planning Department and the Building Department.

Dated: Riverhead, New York
September 15, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

*~~overstrike~~ represents deletion(s)
**underscore represents addition(s)

NOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

68 ADOPTS RESOLUTION ADDING BUSINESS F DISTRICT MANUFACTURERS
OUTLET CENTER OVERLAY ZONE TO THE RIVERHEAD TOWN CODE

COUNCILPERSON Stark offered the following resolution,
which was seconded by **COUNCILPERSON** Prusinowski :

WHEREAS, the Riverhead Town Board, on its own motion, desires to amend the Zoning Ordinance of the Town of Riverhead to provide for certain specific retail services upon appropriate tracts of land; and

WHEREAS, this motion of the Town Board is based upon its policy of encouraging the development of a local economy based upon tourism and is keeping with recent special permit decisions of this Town Board; and

WHEREAS, the Riverhead Town Board has identified appropriate areas within the Town of Riverhead for such development; and

WHEREAS, the Riverhead Town Board has completed an environmental assessment identifying the potential impact of the development encouraged by this amendment; and

WHEREAS, the Town Board the Town Clerk to publish and post a public notice for a public hearing to consider the addition of Business F District Manufacturers Outlet Center Overlay Zone to the **Riverhead Town Code**; and

WHEREAS, a public hearing was held on the 1st day of September, 1992, at 7:20 to hear all interested parties relative to the proposed ordinance; and

WHEREAS, a copy of the proposed ordinance has been transmitted to these jurisdictions requiring notice of such amendment by **Town Law**; and

WHEREAS, the Riverhead Town Board has carefully considered the proposed amendment to the Zoning Ordinance of the Town of Riverhead, the environmental analysis attending the amendment, the testimony made part of the relevant public hearing and the report of the Planning Director.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the proposed amendment to the Zoning Ordinance of the Town of Riverhead to provide for the Business F District (Manufacturers Outlet Center Overlay), the Riverhead Town Board declares itself to be the lead agency and determines the action to be Type I without a significant impact upon the environment; that a draft environmental impact statement shall not be prepared; and be it further

RESOLVED, that the Planning Director be authorized to file such notice of non-significance as required by **Environmental Conservation Law**; and be it further

9/15/92
RESOLVED, that the Riverhead Town Board hereby amends the Riverhead Zoning Ordinance to provide for the Business F District (Manufacturers Outlet Center Overlay) as follows:

BUSINESS F DISTRICT
MANUFACTURERS OUTLET CENTER OVERLAY ZONE

Purpose.

It is the specific purpose and intent of this Article to provide manufacturers outlet centers and their customary accessory and incidental uses upon those lands which are appropriate due to their location relative to public infrastructure and which are accessible to arterial roadway networks. This use district may be imposed by the Town Board in conjunction with or to the exclusion of the Business B, Business D, Industrial A, and Office Service Zoning Use Districts, or on a parcel partially within one of the above described use districts.

Specially Permitted Uses.

In the Business F District, no building structure or premises shall be used, arranged, or designed to be used and no building or structure shall hereafter be erected, reconstructed, or altered unless otherwise provided in this Chapter except for the following specially permitted uses. All special permit uses set forth herein shall be subject to the approval of the Town Board pursuant to the definition of special permits in Section 108-3 of this chapter:

- 1) Manufacturers outlet center;
- 2) Establishments engaged in selling goods or merchandise to the general public for personal or household consumption provided that the entire structure housing such use is occupied by a single tenant or single owner use and shall be in a structure of no less than 100,000 square feet.

Accessory Uses

- 1) Accessory uses shall include those uses customarily incidental to any or the above permitted uses when located on the same lot and shall specifically include:
 - a) Garages for the parking of vehicles.
 - b) Off street loading area.
 - c) Central heating or power plants.
 - d) Fully-enclosed storage areas.
 - e) Maintenance and utility facilities.
 - f) Trash receptacles, dumpsters suitably screened.
 - g) Playground and common areas.
 - h) Improved recreational areas.
 - i) Buildings used by one (1) or more enterprises where first-quality, overruns or factory seconds are offered for sale at prices discounted below suggested manufacturer's retail price.

- j) Food court.
- k) Transportation center.

General Lot, Yard, and Height Requirements

- A) The minimum lot area shall be 25 acres.
- B) The minimum lot width shall be 500 feet.
- C) The maximum building area shall be 15 percent.
- D) The minimum front yard shall be 100 feet.
- E) The minimum side yard shall be 50 feet.
- F) The maximum height shall be thirty-five (35) feet.

Additional Development Standards

- A) Sites served by the Riverhead Sewer District shall have a maximum building area of 30 percent. In this instance, the Town Board may relieve landscape requirements through site plan review;
- B) Off street parking shall be generally required at one (1) parking space per 200 square feet of gross floor area. Areas of stairwells, elevators, restrooms and food courts may be excluded by the Town Board through site plan review.
- C) Frontage upon a major arterial roadway;
- D) Pursuant to Article XXVI, site plan review shall be required. In the consideration of a preliminary site plan accompanying the special permit, the Town Board shall require the following:
 - 1) A landscaped area of a minimum of 25 percent of the total site area;
 - 2) A landscaped front yard of a minimum of one hundred (100) feet measured from the property line. Existing vegetation should be made part of the landscaped front yard where appropriate. Parking areas shall not be located within the front yard;
 - 3) In parking areas of greater than 10,000 square feet, landscaped areas shall be employed to divide asphalt areas;
 - 4) Site plans shall, to the greatest extent practical, incorporate the spacial separation of architecturally-related buildings in order to create interior courtyard and pedestrian areas;
 - 5) Areas of natural features including freshwater wetlands, surface waters, and slopes in excess of 15 percent, as well as those areas required for public facilities shall not be considered in the calculation of maximum building area.

permitted Uses.

building, structure, premise or lot in the Business F District (Manufacturers Outlet Center Overlay) shall be occupied for the following uses:

- 1) Flea market.
- 2) Gasoline service stations.
- 3) Motor vehicle sales.
- 4) Car washes.
- 5) Printing plants.
- 6) General retail store or shop, except as otherwise provided.

and be it further

RESOLVED, that this amendment shall become effective immediately; and be it further

RESOLVED, that the Town Clerk be and is hereby directed for forward a certified copy of this resolution to the Riverhead Planning Board, the Riverhead Planning Department and the Riverhead Building Department; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to publish the following Notice of Adoption once in the **Suffolk County Life**:

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead hereby amends the Riverhead Zoning Ordinance by adding the Business F District (Manufacturers Outlet Overlay), which district shall provide for manufacturers outlet centers and their customary accessory and attending uses upon those lands which are appropriate due to their location relative to public infrastructure and which are accessible to arterial roadway networks. This use district may be imposed by the Town Board in conjunction with or to the exclusion of the Business B, Business D, Industrial A, and Office Service Zoning Use Districts, or upon a parcel partially within one of the above described use districts. A complete copy of the amendment may be obtained from the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, during normal business hours Monday through Friday from 8:30 a.m. to 4:30 p.m.

Dated: Riverhead, New York
September 15, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

9/15/92

569 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO
BIDDERS RE: TOWN HALL FACADE IMPROVEMENTS PROJECT

Councilperson Creighton offered the following resolution,
which was seconded by Councilperson Gilliam.

WHEREAS, the facade of Town Hall is in a state of
deterioration.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and
is hereby authorized to publish and post a Notice to Bidders with
regard to Town hall facade improvements in the official newspaper
of the Town of Riverhead; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby
directed to forward a copy of this resolution to Town Engineer
Ken Testa.

OTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 YES

The resolution was thereupon duly declared adopted.

570

#-----APPOINTS CSE HOME AIDE TO HOME AIDE PROGRAM

Councilperson ^{Stark}-----offered the following resolution which was seconded by Councilperson ^{Prusinowski}-----.

WHEREAS, Emma Funn did by telephone call on 9/15/92 to immediately resign her position as CSE Home Aide; and

WHEREAS, the Town Board does not wish to see any loss of services to recipients of this program.

NOW THEREFORE, BE IT RESOLVED, that Margaret Fahrbach be and is hereby appointed to the position of CSE Home Aide to the Home Aide Program starting 9/16/92 at the hourly rate of \$6.50 per hour.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Ed Hudgins, Margaret Fahrbach, and the Office of Accounting.

NOTE: Gilliam, abstain; Creighton, yes; Stark, yes; Prusinowski, yes. Janoski, yes. 4 YES 1 ABSTENTION

The resolution was thereupon duly declared adopted.

- Hilfred Smith
- Charles Cusko
- Antonio DeCristo
- Ellen Fenton
- Joe Ingano
- Sherry Johnson/Betty Brown
- Elas Kalogeris
- Carolyn London
- Rev. A. Charles McBry
- James Rizer
- Alan Smith
- Bruce Stale
- Bill Talmage

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the above mentioned individuals and to the Planning and Building Departments.

571 NAMES INDIVIDUALS TO SERVE ON AD-HOC COMMITTEE FOR THE REVIEW OF ADMINISTRATIVE AND PROCEDURAL PRE-REQUISITES TO RESPONSIBLE ECONOMIC DEVELOPMENT

COUNCILPERSON Gilliam offered the following Resolution which was seconded by COUNCILPERSON Creighton.

WHEREAS, the Town of Riverhead adopted Resolution #484 to establish an AD-HOC Committee for the review of administrative and procedural prerequisites to responsible economic development; and

WHEREAS, responsible economic development must be encouraged and promoted in the Town of Riverhead; and

WHEREAS, a critical element of promoting responsible economic growth is through the elimination of unnecessary requirements and duplicative processes; and

WHEREAS, the Town Board recognizes that the participation of the local business community and other interested parties is critical in this review; and

WHEREAS, the Town Board wishes to encourage local participation in the review;

NOW, THEREFORE, BE IT RESOLVED, that the following are named individually or as a representative of an organization, to the AD-HOC Committee for the review of administrative and procedural prerequisites to economic development;

Hildreth Booker
 Charles Cuddy
 Antonio DeGrasse
 Eileen Fenton
 Joe Ingegno
 Sherry Johnson/Betty Brown
 Elias Kalogeras
 Carolyn London
 Rev. A. Charles McElroy
 Joanne Riker
 Allen Smith
 Bruce Stuke
 Bill Talmage

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the above mentioned individuals and to the Planning and Building Departments.

BE IT FURTHER RESOLVED, that the Chairman of the Economic Development Committee as designated by the Town Supervisor shall be responsible for overseeing and directing the activities of this Ad Hoc Committee; and

BE IT FURTHER RESOLVED, that a written report of this Committee shall be submitted to the Town Board for review.

* * * *

Councilwoman Harriet Gilliam introduced this resolution and Councilman Frank Creighton seconded it.

Resolution was amended by Councilman Stark and seconded by Councilman Prusinowski.

Councilman James Stark: I would like to add to the resolution.

BE IT FURTHER RESOLVED, that the Chairman of the Economic Development Committee is designated by the Town Supervisor who shall be responsible to the overseeing of directing the activities of this Ad-Hoc Committee;

AND BE IT FURTHER RESOLVED, that a written report of this committee shall be submitted to the Town Board for review.

VOTE TO AMEND: Gilliam, No; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 4 YES 1 NO
The resolution was thereupon duly declared adopted.

THE VOTE ON RESOLUTION AS AMENDED: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 YES
The resolution was thereupon duly declared adopted as amended

TRACT 134-92-572-----CK RUN SEPTEMBER 03, 1992 (TBM 9-15-92)
 COUNCILPERSON Dusnowski offered the following resolution, which was
 onded by COUNCILPERSON Dusnowski RESOLVED, that the SUPERVISOR
 and is hereby authorized to pay the following:

minutes

9/15/92 974

PAGE 1 OF 2

*****ACCOUNTS*****	*****TOTALS*****
GENERAL TOWN 001	\$357,296.85
PARKING METER 002	\$0.00
AMBULANCE 003	\$0.00
POLICE ATHLETIC LEAGUE 004	\$28.00
TREX CENTER 005	\$183.75
RECREATION PROGRAM 006	\$5,980.45
HIGHWAY 111	\$162,571.20
WATER 112	\$45,896.36
REPAIR & MAINTENANCE 113	\$0.00
SEWER 114	\$16,836.57
SOLID WASTE COLLECTION DIST. 115	\$13,080.00
STREET LIGHTING 116	\$2,490.75
PUBLIC PARKING 117	\$9,091.77
BUSINESS IMPROVEMENTS DISTRICT 118	\$0.00
HOSPITALIZATION SELF INSURANCE 174	\$8,231.96
RISK RETENTION 175	\$505.26
UNEMPLOYMENT INSURANCE RESERVE 176	\$0.00
MAIN ST. REHAB 177	\$0.00
ECONOMIC REVOLVING LOAN 178	\$2,797.20
RESIDENTIAL REHAB 179	\$115.44
DISCRETIONARY/SMALL CITIES 180	\$0.00
CD.BG CONSORTIUM ACCOUNT 181	\$0.00
URBAN DEVEL CORP WORKING 182	\$0.00
ID.DE CONSORTIUM ACCOUNT 183	\$0.00
RESTORE GRANT PROGRAM 184	\$0.00
PUBLIC PARKING DEBT 381	\$0.00
WATER DEBT 383	\$0.00
GENERAL FUND DEBT SERVICE 384	\$0.00
SCAVANGER WASTE DISTRICT DEBT 385	\$0.00
TOWN HALL CAPITAL PROJECTS 406	\$517.42
EIGHT HUNDRED SERIES 408	\$32,000.00
TWO BEARS 440	\$0.00
CHIPS 451	\$0.00
YOUTH SERVICES 452	\$1,397.14
SENIORS HELPING SENIORS 453	\$1,554.45
EISEP 454	\$1,160.01
MUNICIPAL FUEL FUND 625	\$5,552.84
MUNICIPAL GARAGE 626	\$3,111.91
TRUST & AGENCY 735	\$365,787.75
SPECIAL TRUST 736	\$0.00
JOINT SCAVENGER WASTE 918	\$14,871.15
*****GRAND TOTAL*****	\$1,051,058.23

THE VOTE OF THE BOARD OF SUPERVISORS IS HEREBY RECORDED AS FOLLOWS: YES: 3, NO: 0, ABSENT: 0.

9/15/92

*****ACCOUNTS*****		*****TOTALS*****
GENERAL TOWN	001	\$62,340.41
PARKING METER	002	\$0.00
AMBULANCE	003	\$1,135.00
POLICE ATHLETIC LEAGUE	004	\$779.91
TEEN CENTER	005	\$0.00
RECREATION PROGRAM	006	\$1,783.00
HIGHWAY	111	\$60,995.15
WATER	112	\$4,970.11
REPAIR & MAINTENANCE	113	\$0.00
SEWER	114	\$6,012.91
SOLID WASTE COLLECTION DIST.	115	\$144,761.09
STREET LIGHTING	116	\$321.01
PUBLIC PARKING	117	\$0.00
BUSINESS IMPROVEMENTS DISTRICT	118	\$8.36
HOSPITALIZATION SELF INSURANCE	174	\$3,482.62
RISK RETENTION	175	\$0.00
UNEMPLOYMENT INSURANCE RESERVE	176	\$0.00
MAIN ST. REHAB	177	\$0.00
ECONOMIC REVOLVING LOAN	178	\$0.00
RESIDENTIAL REHAB	179	\$4,275.00
DISCRETIONARY/SMALL CITIES	180	\$0.00
CDBG CONSORTIUM ACCOUNT	181	\$0.00
URBAN DEVEL CORP WORKING	182	\$2,000.00
IDDP CONSORTIUM ACCOUNT	183	\$0.00
RESTORE GRANT PROGRAM	184	\$0.00
PUBLIC PARKING DEBT	381	\$0.00
WATER DEBT	383	\$0.00
GENERAL FUND DEBT SERVICE	384	\$0.00
SCAVANGER WASTE DISTRICT DEBT	385	\$0.00
TOWN HALL CAPITAL PROJECTS	406	\$42,380.12
EIGHT HUNDRED SERIES	408	\$11,487.67
TWO BEARS	440	\$0.00
CHIPS	451	\$0.00
YOUTH SERVICES	452	\$0.00
SENIORS HELPING SENIORS	453	\$0.00
EISEP	454	\$0.00
MUNICIPAL FUEL FUND	625	\$0.00
MUNICIPAL GARAGE	626	\$632.17
TRUST & AGENCY	735	\$1,631.15
SPECIAL TRUST	736	\$0.00
JOINT SCAVENGER WASTE	918	\$10,141.65
*****GRAND TOTAL*****		\$359,137.33

THE VOTE: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 YES
 The resolution was thereupon duly declared adopted.