

December 1, 1992

1691 APPROVES SITE PLAN OF CENTRAL SUFFOLK HOSPITAL - PARKING LOT

Councilman **COUNCILMAN PRUSINOWSKI** offered the following resolution, which was seconded by Councilpers **COUNCILMAN STARK** :

WHEREAS, a site plan was submitted by Martin F. Sendlewski, AIA, as agent for Central Suffolk Hospital for the construction of a parking lot located at the west side of Roanoke Avenue, 197' north of County Route 58, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-3-17; and

WHEREAS, the Planning Department has reviewed the site plan dated November 24, 1992, as prepared by Martin F. Sendlewski, A.I.A., 43 Southfield Road, Calverton, NY 11933, 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) Unlisted 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 submitted by Martin F. Sendlewski, AIA, as agent for Central Suffolk Hospital, for the construction of a parking lot, located at the west side of Roanoke Avenue, 197' north of County Route 58,, New York, site plan dated November 24, 1992, as prepared by Martin F. Sendlewski, A.I.A., 43 Southfield Road, Calverton, NY 11933, be and is 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. 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 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;

9. That all utilities shall be constructed underground;

10. 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;

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

12. 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 Martin F. Sendlewski, AIA, as agent for Central Suffolk Hospital, the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

WHEREAS, the Board has considered the foregoing and has determined that it is in the best interest of the Town and the welfare of its citizens that the same be so ordered.

NOW, THEREFORE, THE BOARD OF TOWN SUPERVISORS:

That the Board, for the purpose of carrying out the provisions herein expressed, does hereby order, direct, determine, resolve, and agree that the said provisions herein contained shall be subject to the following covenants which shall run with the land, and shall be binding upon all persons, heirs, assigns, successors, and assigns of the parties to the deed.

1. That the provisions of the Riverhead Town Code, which are not amended by this resolution, or other official action of the Town Board, at all times, be complied with by the owner of the property covered by this deed.

2. That the form, design, location and color of all signs shall be submitted to the Town Board for its review and approval prior to the site plan process and the sign permit process; that all signs shall be coordinated in appearance and design with the architectural style of the building and the surrounding area; and that all provisions of Section 108-36 of the Riverhead Town Code shall be complied with, and that all signs shall be approved by the Town Board as well as those of the State Department of Transportation and the State Department of Environmental Conservation as a condition of any sign permit granted hereunder.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1992, made by Central Suffolk Hospital, residing at 1300 Roanoke Avenue, Riverhead, 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. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;

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

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. That all utilities shall be constructed underground;

9. 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;

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

11. 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.

CENTRAL SUFFOLK HOSPITAL

By: _____

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1992, before me personally came _____, who, being sworn by me, did depose and say: that (s)he is the _____ of Central Suffolk Hospital; that (s)he knows the seal of the corporation; that the seal affixed to this instrument is said seal; and that it was affixed by order of the Board of Directors of the Corporation.

NOTARY PUBLIC

THE VOTE

Gilliam Yes ___ No Creighton Yes ___ No
Stark Yes ___ No Prusinowski Yes ___ No
Janoski Yes ___ No

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

December 1, 1992

692

APPROVES SITE PLAN OF BYZANTINE CATHOLIC CHURCH OF THE
RESURRECTION

Councilperson **COUNCILMAN STARK** offered the following resolution, which was seconded by Councilman **COUNCILMAN PRUSINOWSKI**:

WHEREAS, a site plan and elevations were submitted by Father Daniel Bitsko, as agent for the Byzantine Catholic Church of the Resurrection, for the construction of a cemetery located at the west side of Twomey Avenue, south of Riley Avenue, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-99-2-23.2; and

WHEREAS, the Planning Department has reviewed the site plan dated last August 11, 1992, as prepared by Tagi A. Garbizu & Associates, 202 East Main Street, Smithtown, NY 11787, and elevations dated last October 19, 1990, as prepared by Tagi A. Garbizu & Associates, 202 East Main Street, Smithtown, NY 11787, 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) Unlisted 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 Father Daniel Bitsko, as agent for the Byzantine Catholic Church of the Resurrection, for the construction of a cemetery, located at the west side of Twomey Avenue, south of Riley Avenue, Calverton, New York, site plan dated last August 11, 1992, as prepared by Tagi A. Garbizu & Associates, 202 East Main Street, Smithtown, NY 11787, and elevations dated last October 19, 1990, as prepared by Tagi A. Garbizu & Associates, 202 East Main Street, Smithtown, NY 11787, 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, Byzantine Catholic Church of the Resurrection hereby authorizes and consents to the Town of Riverhead to enter premises at the west side of Twomey Avenue, south of Riley Avenue, 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 this approval is specific to the cemetery and exclusive of any church building, and that any church building on the subject premises shall be subject to site plan review and approval;

16. That a ten foot wide planted buffer, in addition to that indicated, shall be provided to any adjoining parcels upon their buildout for residential use; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Father Daniel Bitsko, as agent for the Byzantine Catholic Church of the Resurrection, the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1992, made by Byzantine Catholic Church of the Resurrection, residing at 37 Juniper Avenue, Smithtown, 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;

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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;

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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;

14. That a ten foot wide planted buffer, in addition to that indicated, shall be provided to any adjacent parcels upon their buildout for residential uses.

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

BYZANTINE CATHOLIC CHURCH OF THE RESURRECTION

By: _____

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

On the _____ day of _____, 1992, before me personally came _____, who, being sworn, did depose and say: that (s)he is the _____ of the Byzantine Catholic Church of the Resurrection; that (s)he knows the seal of the corporation; that the seal affixed to this instrument is said seal; and that the seal was affixed by order of the Board of Directors of the Corporation.

NOTARY PUBLIC

THE VOTE

Gilliam Yes ___ No ___ Creighton Yes ___ No ___
Stark Yes ___ No ___ Prusinowski Yes ___ No ___
Janoski Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

December 1, 1992

693 APPROVES SITE PLAN OF LEWIN DEVELOPMENT CORP.

Councilman **COUNCILMAN CREIGHTON** offered the following resolution, which was seconded by Councilwoman ~~COUNCILWOMAN GILLIAM~~:

WHEREAS, a site plan and elevations were submitted by Virginia J. Lewin, as agent for the Lewin Development Corp. for building additions and renovation for office and retail use, and attendant site improvements, located at 165 Oliver Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-104-2-47; and

WHEREAS, the Planning Department has reviewed the site plan dated November 19, 1992, as prepared by Donald A. Denis, A.I.A., P.C., P.O. Box 565, Aquebogue, NY 11931, and elevations dated September 14, 1992, as prepared by Donald A. Denis, A.I.A., P.C., P.O. Box 565, Aquebogue, NY 11931, 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) Unlisted 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 Virginia J. Lewin, as agent for the Lewin Development Corp., for building additions and renovation for office and retail use, and attendant site improvements, located at 165 Oliver Street, Riverhead, New York, site plan dated November 19, 1992, as prepared by Donald A. Denis, A.I.A., P.C., P.O. Box 565, Aquebogue, NY 11931, and elevations dated September 14, 1992, as prepared by Donald A. Denis, A.I.A., P.C., P.O. Box 565, Aquebogue, NY 11931, 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. 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. Further, by execution and filing of this document, Vincent S. Locicero hereby authorizes and consents to the Town of Riverhead to enter premises at 165 Oliver Street, Riverhead, New York, to enforce said handicapped parking regulations;

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 any new 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;

14. That the asphalt curb shall be repaired as necessary; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Virginia J. Lewin, as agent for the Lewin Development Corp., the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

1. That the provisions of the applicable Town Code, which are not addressed by this resolution, shall be applied to the property covered by this resolution;

2. That the fees, charges, levies and costs of all work shall be submitted to the Town Clerk for review and payment pursuant to the applicable Town Code, and that all proposed work shall be completed in accordance with the applicable Town Code, and that all proposed work shall be subject to the provisions of Section 108-110.7 and any other applicable provisions of the Town Code as well as those of Section 108-110.7 and any other applicable provisions of the Town Code as a condition of site plan approval.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1992, made by Vincent S. Locicero, residing at _____ Edwards Avenue, Calverton, 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 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. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;

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

7. 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;

8. 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;

9. That any new utilities shall be constructed underground;

10. 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;

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

12. 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;

694

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF AUCTION
OF ABANDONED VEHICLES AND ALL OTHER UNCLAIMED PROPERTY
BEING HELD BY THE POLICE DEPARTMENT

~~COUNCILWOMAN GILLIAM~~ offered the following resolution, which
seconded by ~~COUNCILMAN CREIGHTON~~.

RESOLVED, that the Town Clerk be and is hereby authorized to publish
the following Notice of Abandoned Vehicles to be sold at Public
on December 19, 1992 at 9:00 A.M., pursuant to Section 1224 of the
and Traffic Law of the State of New York, to be held at the River-
Town Impound Area, located on Route 58 in the Town of Riverhead. Vehicles
inspected prior to the auction on December 18, 1992 between the hours
A.M. to 3:00 P.M.

BE IT FURTHER, that any and all other unclaimed property being held
Police Department will also be available for public auction on December
1992.

1987	Honda Civic	282AF12138503179	BLACK/LAVENDER
1984	Pontiac Fire	1G2AK178809190801	RED
1982	Cadillac Fleetwood	1G6AR0939F3064128	BLUE
1980	Chevrolet Pickup	1LLE018L8	BLACK
1970	International Dump	8Q98270471342	RED
1983	Datsun Maxima	7618U058902038872	GRAY
1985	Yamaha ATV	Possible BE193	GREEN
1985	Nissan 200i	JAB8F240607095808	GRAY
1985	Lincoln Town Car	1L8P94772430753	RED
1980	Buick Century	1G011561301136	SILVER
1983	Lincoln Town Car	1L8P94772430753	RED
1982	Chevrolet	1G111561301136	BLUE
1978	Cadillac Fleetwood	1G6AR0939F3064128	BLUE
1980	Cadillac Fleetwood	1G6AR0939F3064128	BLACK/GRAY
1971	Plymouth	1G111561301136	BLUE
1978	Chevrolet Cadet	1N69081245857	TAN(yellow)

THE VOTE

Gilliam Yes ___ No Creighton Yes ___ No
Stark Yes ___ No Prusinowski Yes ___ No
Janoski Yes ___ No

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF AUCTION
OF ABANDONED VEHICLES AND ALL OTHER UNCLAIMED PROPERTY
BEING HELD BY THE POLICE DEPARTMENT**

RESOLVED, that the Town Clerk be and is hereby authorized to publish the following Notice of Abandoned Vehicles to be sold at Public Auction on December 19, 1992 at 9:00 A.M., pursuant to Section 1224 of the Vehicle and Traffic Law of the State of New York, to be held at the Riverhead Town Impound Area, located on Route 58 in the Town of Riverhead. Vehicles to be inspected prior to the auction on December 18, 1992 between the hours of 9:00 A.M. to 3:00 P.M.

BE IT FURTHER, that any and all other unclaimed property being held by the Police Department will also be available for public auction on December 19, 1992.

01-92	1986	Dodge Omni	1B3B218C1GD157317	MAROON
02-92	1977	Chevrolet Nova	1X27D7T227549	GOLD
03-92	1977	Kawasaki KZ	UNREADABLE	GOLD
04-92	UNK.	Honda 1255 CC Bike	JH2JE0101FC600206	RED-ORANGE
05-92	1980	Lambretta Scooter	559607	LIGHT GREEN
06-92	UNK.	Honda Gyro S	None Visible	BLACK
07-92	1978	Oldsmobile Cutlas	3R47A8D400489	TAN
08-92	1987	Honda Elite	JH2AF1213HS005179	BLACK/LAVENDER
09-92	1984	Pontiac Fiero	1G2AM37R6EP290682	RED
10-92	1984	Cadillac Fleetwood	1G6AW6989E9084128	BLUE
11-92	1980	Chevrolet Pickup	ILLEGIBLE	BLACK
12-92	1970	International Dump	809822G421342	RED
13-92	1983	Datsun Maxima	JN1HU05S3DS034872	GRAY
14-92	UNK.	Yamaha ATV	Possible 8K193	GREEN
15-92	1986	Mitsubishi	JAZEP24D6GP099808	GRAY
16-92	1985	Lincoln Town Car	1LNBP96F9Y650665	RED
17-92	1980	Buick Century	4H69AAG159166	SILVER
18-92	1983	Honda Civic	JHMSL4314DS012253	BLUE
19-92	1982	Chevrolet Chevette	1G1AB68D4CY159448	BLUE
20-92	1978	Balboa Moped	511064685	RED
21-92	1980	Datsun	PS110806786	BLACK/GRAY
22-92	1971	Dodge Van	B11A5AK13061	BLUE
23-92	1978	Chevrolet Sedan	1N69U81245857	TAN(yellow)

12-1-92

695 AWARDS BID FOR FOUR-WHEEL DRIVE TOOL CARRIER FOR USE BY THE SANITATION DEPARTMENT

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by COUNCILMAN STARK :

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for a four-wheel drive tool carrier for use by the Sanitation Department; and

WHEREAS, bids were received, opened and read aloud on the 24th day of November, 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 a four-wheel drive tool carrier for use by the Sanitation Department be and is hereby awarded to H.O. Penn Machinery Co. as follows:

<u>BID AMOUNT</u>	<u>TRADE ALLOWANCE</u>	<u>TOTAL NET BID</u>
\$104,012.00	\$50,000.00	\$54,012.00

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 H.O. Penn Machinery Co., Sanitation Department and the Purchasing Department.

Councilwoman Gilliam made a motion to TABLE this resolution, no one seconded her motion, therefore it was not carried.

THE VOTE

Gilliam ___ Yes No Creighton Yes ___ No
 Stark Yes ___ No Prusinowski Yes ___ No
 Janoski Yes ___ No

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

12-1-92

696

AWARDS BID FOR MATERIAL DEMOLITION GRINDER FOR USE BY THE SANITATION DEPARTMENT

COUNCILMAN STARK offered the following resolution, which was seconded by COUNCILMAN PRUSINOWSKI :

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for material demolition grinder for use by the Sanitation Department; and

WHEREAS, bids were received, opened and read aloud on the 24th day of November, 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 material demolition grinder for use by the Sanitation Department be and is hereby awarded to Construction & Industrial Equip. Corp. in the amount of one hundred seventy-three thousand five hundred and 00/100 (\$173,500.00) dollars; 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 Construction & Industrial Equip. Corp., Sanitation Department and the Purchasing Department.

THE VOTE

Gilliam Yes No Creighton Yes No
 Stark Yes No Prusinowski Yes No
 Janoski Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY DECLARED ADOPTED

12-1-92

697

AWARDS BID FOR PICKUP TRUCK FOR USE BY BUILDINGS AND GROUND

COUNCILMAN CREIGHTON offered the following resolution, which was seconded by COUNCILWOMAN GILLIAM :

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for a pickup truck for use by Buildings and Grounds; and

WHEREAS, bids were received, opened and read aloud on the 4th day of November, 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 a pickup truck for use by Buildings and Grounds be and is hereby awarded to Buzz Chew Chevrolet-Olds, Inc. in the amount of nineteen thousand nine hundred forty-one and 00/100 (\$19,941.00) dollars; 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 Buzz Chew Chevrolet-Olds, Inc., the Engineering Department and the Purchasing Department.

THE VOTE

Gilliam Yes ___ No Creighton Yes ___ No
Stark Yes ___ No Prusinowski Yes ___ No
Janoski Yes ___ No

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

#698

DECLARES LEAD AGENCY AND DETERMINES THE ENVIRONMENTAL SIGNIFICANCE OF THE SPECIAL PERMIT AND SITE PLAN PETITION OF WENDY'S RESTAURANT

~~COUNCILMAN~~ **GILLIAM** offered the following resolution which was seconded by Councilman **COUNCILMAN CREIGHTON**

WHEREAS, the Riverhead Town Board is in receipt of petitions for site plan and Special Permit approval from Wenco Food Systems Corp. for the construction of a 3125 square foot restaurant on a parcel of land located on County Route 58, Riverhead; such parcel more particularly described as Suffolk County Tax Map Number 0600-180-04-5.1 and,

WHEREAS, the Riverhead Planning Department has reviewed the Environmental Assessment Form attending the petitions and has identified the potentially large environmental impacts associated with the action, and

WHEREAS, the Riverhead Town Board has reviewed the subject application, the attending EAF, and the report of the Planning Department,

THEREFORE BE IT RESOLVED, that in the matter of the Special Permit and site plan petition of Wenco Food Systems Corp., the Riverhead Town Board hereby declares itself to be the Lead Agency in the environmental review of the subject action, and

BE IT FURTHER RESOLVED, that the action is determined to be an Unlisted action without a significant impact upon the environment and that an Environmental Impact Statement need not be prepared and,

BE IT FURTHER RESOLVED, that the Planning Director be authorized to post such Notice of Non-Significance as required by the New York State Environmental Conservation Law and,

BE IT FURTHER RESOLVED, that the Town Clerk be authorized to publish the following Notice of Public Hearing in the December 2, 1992 edition of the official newspaper of the Town of Riverhead:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Riverhead Town Board will hear all interested parties in the matter of the Special Permit application of Wenco Food Systems Corporation for the addition of a drive-in service window to a proposed 3125 square foot restaurant to be constructed on Route 58, Riverhead. The public hearing will be held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on December 15, 1992 at 8:00 pm.

THE RESOLUTION WAS THE RESOLUTION ONLY DECLARED ADOPTED

699 **AUTHORIZES SUPERVISOR TO RELEASE PETTY CASH MONIES TO RECEIVER OF TAXES**

COUNCILMAN PRUSINOWSKI offered the following resolution which was seconded by COUNCILMAN STARK.

RESOLVED, that the Supervisor be and is hereby authorized to release \$200.00 to the Receiver of Taxes from the Petty Cash Fund Account established for Petty Cash Fund purposes for the office of Receiver of Taxes, pursuant to Section 64-1 of Town Law.

THE VOTE

Gilliam Yes ___ No ___ Creighton Yes ___ No ___
Stark Yes ___ No ___ Prusinowski Yes ___ No ___
Janoski Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

12-1-92

700 AWARDS BID FOR SALE OF ABANDONED/JUNK VEHICLES

COUNCILMAN STARK

offered the following

resolution, which was seconded by COUNCILMAN PRUSINOWSKI :

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for sale of abandoned/junk vehicles; and

WHEREAS, bids were received, opened and read aloud on the 30th day of November, 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 sale of abandoned/junk vehicles be and is hereby awarded to Outpost Automotive, Inc. in the amount of one thousand two hundred twenty-seven and 00/100 (\$1,227.00) dollars; 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 Outpost Automotive, Inc., Riverhead Police Department and the Municipal Garage.

THE VOTE

Gilliam Yes No Creighton Yes No
Stark Yes No Prusinowski Yes No
Janoski Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

December 1, 1992

701

APPROVES SITE PLAN OF EAST WIND COUNTRY INN -- OUTDOOR
RECEPTION AREA

COUNCILMAN CREIGHTON

Councilperson COUNCILMAN CREIGHTON offered the following resolution, which was seconded by Councilperson COUNCILWOMAN GILLIAM

WHEREAS, a site plan and elevations were submitted by Kenn Barra for the construction of a gazebo and matrimonial pavilion and associated landscaping for use as an outdoor reception area located at the east side of New York State Route 25A, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-76-1-10; and

WHEREAS, the Planning Department has reviewed the site plan dated last November 24, 1992, as prepared by Lee Lutz, Surveyor, 125 Route 25A, P.O. Drawer H, Rocky Point, NY 11778, and elevations dated last November 17, 1992, as prepared by Jenico Inc., Engineering & Design, 149 North Country Road, Port Jefferson NY 11777, 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) Unlisted 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 Kenn Barra, for the construction of a gazebo and matrimonial pavilion and associated landscaping for use as an outdoor reception area, located at the east side of New York State Route 25A, Wading River, New York, site plan dated last November 24, 1992, as prepared by Lee Lutz, Surveyor, 125 Route 25A, P.O. Drawer H, Rocky Point, NY 11778, and elevations dated last November 17, 1992, as prepared by Jenico Inc., Engineering & Design, 149 North Country Road, Port Jefferson NY 11777, 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 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. That all utilities shall be constructed underground;

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 Kenn Barra, the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

... covenants and restrictions be imposed on said parcel, and condition of grantee said site plan and said Town Board has agreed that the aforesaid declaration be recorded in the Office of the Town Clerk's Office, and

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

IN WITNESS WHEREOF, THIS DECLARATION IS HEREBY MADE.

That I, the undersigned, for the purpose of carrying out the provisions above expressed, do hereby make known, admit, ratify, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants and conditions which shall be binding upon all successors and holders of said premises, their heirs, executors, administrators, distributees, successors and assigns, to

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official acts of the Town shall, as always, be complied with by the owner of the property covered by this plan;

2. That the form, design, location and color of all signs shall be submitted to the Town Board for its review and approval prior to the sign process and the sign permit issued pursuant to the sign process and the sign permit shall be installed on the property; that all signs shall be installed in accordance with the provisions of Section 109-56 of the Riverhead Town Code as amended, and that all signs shall be removed as soon as the sign permit expires or as soon as the sign is no longer needed; and that the sign shall be removed as soon as the sign permit expires or as soon as the sign is no longer needed.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1992, made by Knightland, Inc., residing at 586 Route 25A, Wading River, 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 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;

6. That all utilities shall be constructed underground;

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.

KNIGHTLAND, INC.

By: _____

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1992, before me personally came _____ who, being sworn by me, did depose and say: that (s)he is the _____ of Knightland, Inc.; that (s)he knows the seal of the corporation; that the seal affixed to this instrument is said seal; and that it was affixed by order of the Board of Directors of the Corporation.

NOTARY PUBLIC

THE VOTE

Gilliam Yes ___ No ___ Creighton Yes ___ No ___
Stark Yes ___ No ___ Prusinowski Yes ___ No ___
Janoski Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

12-1-92

702

AUTHORIZES RAINS & POGREBIN TO REPRESENT TOWN OF RIVERHEAD

COUNCILMAN STARK

offered the following

resolution, which was seconded by COUNCILMAN PRUSINOWSKI :

RESOLVED, that Rains & Pogrebin, P.C., be and is hereby authorized to represent the Town of Riverhead regarding an Article 78 proceeding brought against the Town of Riverhead by Nancy Morrow; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Rains & Pogrebin, P.C., 210 Old Country Road, Mineola, New York, 11501.

THE VOTE

Gilliam Yes No Creighton Yes No
Stark Yes No Prusinowski Yes No
Janoski Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

145-92-703
 CK RUN NOVEMBER 19, 1992 (TBM 12-01-92)
 offered the following resolution, which was
 by COUNCILPERSON Prusinski RESOLVED, that the SUPERVISOR
 hereby authorized to pay the following:

*****ACCOUNTS*****	*****TOTALS*****
TOWN	001 * \$16,141.34 *
METER	002 * \$0.00 *
ANCE	003 * \$368.00 *
ATHLETIC LEAGUE	004 * \$0.00 *
CENTER	005 * \$633.68 *
ION PROGRAM	006 * \$0.00 *
	111 * \$16,337.73 *
	112 ** \$3,747.54 *
MAINTENANCE	113 * \$0.00 *
	114 * \$9,305.26 *
WASTE COLLECTION DIST.	115 * \$175.69 *
LIGHTING	116 * \$22,506.27 *
PARKING	117 * \$861.92 *
IMPROVEMENTS DISTRICT	118 * \$0.00 *
LIZATION SELF INSURANCE	174 * \$17,622.45 *
RETENTION	175 * \$0.00 *
EMPLOYMENT INSURANCE RESERVE	176 * \$0.00 *
ST. REHAB	177 * \$0.00 *
REVOLVING LOAN	178 * \$0.00 *
ENTIAL REHAB	179 * \$1,976.00 *
ITIONARY/SMALL CITIES	180 * \$0.00 *
CONSORTIUM ACCOUNT	181 * \$437.00 *
DEVEL CORP WORKING	182 * \$3,595.00 *
DISTRICT DEBT	382 * \$9.67 *
GRANT PROGRAM	184 * \$0.00 *
PARKING DEBT	381 * \$22.92 *
DEBT	383 * \$193.64 *
FUND DEBT SERVICE	384 * \$381.77 *
WASTE DISTRICT DEBT	385 * \$0.00 *
HALL CAPITAL PROJECTS	406 * \$35,903.01 *
HUNDRED SERIES	408 * \$1,260.00 *
REARS	440 * \$0.00 *
	451 * \$48,553.26 *
SERVICES	452 * \$0.00 *
HELPING SENIORS	453 * \$0.00 *
	454 * \$0.00 *
MUNICIPAL FUEL FUND	625 * \$3,328.81 *
MUNICIPAL GARAGE	626 * \$881.26 *
AGENCY	735 * \$0.00 *
TRUST	736 * \$0.00 *
SCAVENGER WASTE	918 * \$7,438.20 *
*****GRAND TOTAL*****	\$191,680.42 *

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