

# 243 AWARDS BID FOR FOR WATER METERS FOR RIVERHED WATER DISTRICT

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for for water meters for the Riverhead Water District; and

WHEREAS, bids were received, opened and read aloud on the 9th day of April, 1990, at 11:10 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 for water meters for the Riverhead Water District be and is hereby awarded to Sensus Technologies, Inc.; 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., the Riverhead Water District and the Town Attorney's Office.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 244 AWARDS BID FOR CONSTRUCTION OF WELL #5-2, RIVERHEAD WATER DISTRICT

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

**WHEREAS**, the Town Clerk was authorized to publish and post a notice to bidders for construction of Well #5-2 of the Riverhead Water District; and

**WHEREAS**, bids were received, opened and read aloud on the 5th day of February, 1990, 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 construction of Well #5-2 of the Riverhead Water District be and is hereby awarded to as follows:

**Hanibul Corp.** - Contract No. 1, Well and Well pump, construction of pump station - \$164,500.00

**Bensin Contracting** - Contract No. 2, Building, general construction and mechanical work - \$85,484.00

**Wire to Water, Inc.** - Contract No. 3, Electrical Work - \$160,290.00

and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Hanibul Corp., Bensin Contracting, Wire to Water, Inc., the Riverhead Water District and the Town Attorney's Office.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 245 AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER NO. 2  
RE: CBI SERVICES (BAITING HOLLOW AND WADING RIVER  
STORAGE TANKS

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Lombardi.

WHEREAS, the Riverhead Town Board previously authorized the Supervisor to execute a contract on behalf of the Town of Riverhead with CBI Services; and

WHEREAS, the engineer retained by the Town has submitted a change order with a recommendation of approval, copy attached.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute the attached change order; and

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

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 246 AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER NO. 2  
PUMP STATION NO. 7-MECHANICAL, BENSIN CONTRACTING

Councilperson Lombardi offered the following resolution which was seconded by Councilperson Civiletti.

WHEREAS, the Riverhead Town Board previously authorized the Supervisor to execute a contract on behalf of the Town of Riverhead with Bensin Contracting; and

WHEREAS, the engineer retained by the Town has submitted a change order with a recommendation of approval, copy attached.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute the attached change order; and

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

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Date 4-17-90No. 247

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  
JOINT SCAVENGER WASTE DISTRICT

018.3.0000.599	Appropriated Fund Balance	\$45,000.00	
018.5.8189.408	Contractual Expense - Misc.		\$10,000.0
018.5.8189.415	Engineering		\$35,000.0

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 248 AUTHORIZES TOWN CLERK TO REPUBLISH AND REPOST NOTICE TO BIDDERS FOR A 1990 "MINI VAN" FOR USE BY THE PARKING METER OFFICER

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for 1990 "Mini Van" for use by the Parking Meter Officer; and

and WHEREAS, no bids were recieved pursuant to said notice;

WHEREAS, the Town Board has elected to republish the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to republish and repost the following notice to bidders:

PLEASE TAKE NOTICE that the Town of Riverhead will receive bids for a 1990 "Mini Van" for use by the Parking Meter Officer on MAY 4, 1990, at 11:00 at Town Hall, 200 Howell Avenue, Riverhead, New York, at which time and place all bids will be publicly opened and read aloud. Bid forms may be obtained from the Town Clerk during regular business hours Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

DATED: Riverhead, New York  
April 17, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 249 AWARDS BID FOR HANDICAP ACCESSIBLE PARATRANSIT BUS FOR USE BY RIVERHEAD SENIOR CITIZENS

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for handicap accessible paratransit bus for use by Riverhead Senior Citizens; and

WHEREAS, bids were received, opened and read aloud on the 9th day of April, 1990, 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 handicap accessible paratransit bus for use by Riverhead Senior Citizens be and is hereby awarded to Ramp Transportation Co., Inc. in the amount of thirty-seven thousand three hundred fifty-three and 00/100 (\$37,353.00) dollars; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Ramp Transportation Co., Inc., Lyn McDonald of Riverhead Community Development Agency and the Town Attorney's Office.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

4/17/90

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# 250 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER THE DEMOLITION OF AN UNSAFE BUILDING OWNED BY AUGUSTO DeMICHEL

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti :

WHEREAS, pursuant to Chapter 54 of the Riverhead Town Code, the Building Inspector did forward to Augusto DeMichiel, owner of certain property located North Country Road, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-49-2-15 a violation notice for an unsafe building; and

WHEREAS, the owner of said property has failed to obtain a building permit or demolition permit for said unsafe building within the period prescribed in said violation notice.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider the demolition of an unsafe building owned by Augusto DeMichiel:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 1st day of May, 1990, at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the demolition of an unsafe building owned by Augusto DeMichiel located on North Country Road, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-49-2-15.

Dated: Riverhead, New York  
April 17, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD  
RESOLUTION # 251  
AUTHORIZE SUBMISSION OF THE TOWN OF RIVERHEAD 1990 COMMUNITY  
DEVELOPMENT BLOCK GRANT

WHEREAS, the Town of Riverhead Community Development Agency has prepared an application for Community Development Block Grant funds for submission to the U.S. Department of Housing and Urban Development on or before April 23, 1990; and

WHEREAS, the Town has developed its application so as to give maximum feasible priority to activities which benefit low and moderate income persons or aid in the prevention or elimination of slums or blight; and

WHEREAS, the Town is following a Citizen Participation Plan and consistent with said plan has held two public hearings regarding the development and submission of the proposed application; and

WHEREAS, the Town of Riverhead possesses the legal authority to make a grant submission and to execute a community development and housing program;

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor of the Town of Riverhead to execute and submit the Community Development Block Grant Application as prepared by the Town of Riverhead Community Development Agency, including all assurances and certifications therein.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Andrea Lohneiss, Community Development Director.

Councilman Prusinowski offered the above resolution which was seconded by Councilman Stark.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEADRESOLUTION #252AUTHORIZES SUPERVISOR TO ACCEPT DEED FOR PROPERTY FOR USE AS  
PUBLIC HIGHWAYADOPTED APRIL 17, 1990

WHEREAS, the owner of property located at the corner of Sebastian Drive and Sound Avenue had made application to the Planning Board for a minor subdivision; and

WHEREAS, the owner of said property wishes to dedicate a 17-foot strip of property to the Town of Riverhead for highway purposes.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to accept a deed for a 17-foot strip of land to be dedicated to the Town of Riverhead for highway purposes; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Jerry J. Limongelli, attorney for Sebastian Albrecht, the Highway Department and the Town Attorney's Office.

Councilman Stark offered the above resolution which was seconded by Councilman Prusinowski.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 253 APPOINTS CLERK-TYPIST TO THE TOWN CLERK'S OFFICE

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Lombardi

WHEREAS, a position of Clerk-Typist presently exists in the Town Clerk's Office, and

WHEREAS, Suffolk County Department of Civil Service has provided us with a certified list of applicants for Clerk-Typist; and

WHEREAS, all willing acceptors have been interviewed; and

WHEREAS, Muriel Froehlich does appear on said list;

NOW, THEREFORE, BE IT RESOLVED, that Muriel Froehlich is hereby appointed to the position of Clerk-Typist at Group 4, Step P of the Clerical and Supervisory salary schedule for 1990 at an annual salary of \$16,373.75 effective May 1, 1990;

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Muriel Froehlich, P.O. Box 166, Seaman Road, Jamesport, New York; Irene J. Pendzick, Town Clerk; and the Office of Accounting.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

4-17-90

## # 254 NOTICES FINDINGS STATEMENT OF EAST END COMMONS

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

WHEREAS, the Riverhead Town Board is in receipt of a petition for site plan for the construction of 286,142 square feet of commercial use upon a parcel of Business B zoned land on the south side of Route 58 (Suffolk County Tax Map Number 0600-84-1-12); such petition known as East End Commons, and

WHEREAS, the Riverhead Town Board as Lead Agency has accepted a Final Environmental Impact Statement by resolution, and

WHEREAS, the Notice of Final Environmental Impact Statement was published and disseminated as required by State Law, such comment period ending of March 26, 1990, and

WHEREAS, the Riverhead Planning Department has prepared a Findings Statement respecting the East End Commons site plan in conformance with 6 NYCRR Part 617.9, and

WHEREAS, the Riverhead Town Board has reviewed the Draft Findings Statement and has accepted the same without revision;

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board accept the Draft Findings Statement for East End Commons as the Lead Agency's finding of fact for the subject project and hereby makes those findings, and

**BE IT FURTHER**

RESOLVED, that the Riverhead Town Board authorize the Planning Director to notice the subject Findings Statement pursuant to 6 NYCRR Part 617, and

**BE IT FURTHER**

RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Planning Director and Peter S. Danowski, Jr., Esq., as attorney for the applicant.

The vote, Stark, yes, Prusinowski, yes, Civiletti, no, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

## State Environmental Quality Review

## FINDINGS STATEMENT

Pursuant to Article 8 (State Environmental Quality Review Act - SEQR) of the Environmental Conservation Law and 6 NYCRR Part 617, the Riverhead Town Board, as Lead Agency, makes the following findings:

**Name of Action:** East End Commons Site Plan

**Description of Action:** The proposed construction of 286,142 square feet of commercial structure (enclosed retail mall) with associated parking areas, loading areas, drainage structures, water supply appurtenances, sanitary, sewer and attending off-site improvements upon a parcel of Business B zoned land. The SEQR record and site plan proposed relies upon the use for yield purposes of (Suffolk County Tax Map Number 0600-84-1-12 and 10) located on the north side of Route 58 somewhat contiguous with the subject parcel.

**Location:** The south side of Route 58 between Oliver Street and Northville Turnpike within the Hamlet of Riverhead, Town of Riverhead, New York (Suffolk County Tax Map Number 0600-109-1-41 and 19.5).

**Agency Jurisdiction:**

- (i) Riverhead Town Board - Site Plan Review
- (ii) Riverhead Zoning Board of Appeals - Associated Variances
- (iii) Suffolk County Department of Health Services - Involved Agency
- (iv) Suffolk County Department of Public Works - Curb Cut Permit
- (v) New York State Department of Environmental Conservation - Involved Agency
- (vi) Riverhead Sewer District - Extension and Connection
- (vii) Riverhead Water District - Connection
- (viii) Riverhead Town Building Department - Building Permit

**Date Final Environmental Impact Statement Filed:** February 26, 1990

**Facts and Conclusions in the Final Environmental Impact Statement Relied Upon to Support the Decision:**

First, that the Draft Environmental Impact Statement identified the following relevant environmental issues and impacts with regard to the proposed development.:

- (i) Impacts upon geologic resources;
- (ii) Impacts upon surface water resources;
- (iii) Impacts upon the groundwater resources;
- (iv) Impacts upon air quality;
- (v) Impacts upon terrestrial and aquatic ecology;
- (vi) Impacts upon existing transportation networks;
- (vii) Impacts upon community services;
- (viii) Impacts upon cultural resources;
- (ix) Project integration with the Riverhead Master Plan and attending Zoning Use District Map.

Second, that the Draft Environmental Impact Statement as accepted by the Town Board analyzed those environmental impacts as identified by the Lead Agency and provided a description of both mitigation measures and project alternatives.

Third, that comments received upon the Draft Environmental Impact Statement from both parties of interest and involved agencies centered upon the following:

- (i) The need for an expanded analysis of vehicular traffic impacts upon Route 58 and Northville Turnpike;
- (ii) The need for an alternative site plan which would mitigate impacts upon freshwater wetlands, fish and wildlife, and existing vegetative resources (New York State Department of Environmental Conservation commentary);
- (iii) The need for formulation of a Final Environmental Impact Statement which mitigates impacts upon water resources, wetland resources, uplands and open space;
- (iv) The need for archeological analysis of the site due to existence of an extensive freshwater wetlands system on site;
- (v) The need for a management plan with respect to duck sludge removal;
- (vi) The need for an alternative site plan showing service by the Riverhead Sewer District;
- (vii) The need for an alternative site plan showing strict compliance with respect to coverage, parking and loading requirements of the Riverhead Town Code;
- (viii) The need for a site plan which depicts all drainage structures and which adequately describes the impacts of water quality and quantity of the Saw Mill Creek;
- (ix) The need for a construction schedule and plan for clearing and grading of the site in order to mitigate impacts upon the wetland system resulting from siltation through erosion;
- (x) The need for a cumulative impact analysis of the project in relation to other projects being considered within the Saw Mill Creek.

Fourth, that the Draft Environmental Impact Statement, together with the applicant's response to commentary made by parties of interest, forms a description of an action which, to the greatest extent practical, minimizes adverse impacts upon the natural environment. The basis finding is centered in the conclusion that the Final Environmental Impact Statement has addressed each of the major environmental issues and impacts relating to freshwater wetlands, surface water, vegetation, terrestrial and aquatic ecology, transportation networks, community

services, cultural resources, and Town planning and zoning. In its consideration of the Alternative B site plan, as described in the Final Environmental Impact Statement, the Riverhead Town Board specifically finds the following:

- (i) That the proposed site plan establishes a 100' buffer and non-disturbance area between the construction area and Saw Mill Creek which will mitigate impacts upon existing State-regulated surface waters and wetlands;
- (ii) That the proposed site plan includes a drainage plan which relies upon the use of leaching pools which will both recharge storm water away from existing wetlands and which will allow for the establishment of necessary open space areas (wetland buffer and Oliver Street buffer);
- (iii) That the proposed site plan relies upon the connection to the Riverhead Sewer District for the treatment of waste water and that any impacts of waste water generated upon existing wetlands and surface water will, therefore, be mitigated;
- (iv) That the proposed site plan depicts a landscaped area of less than one (1) acre which will have total nitrogen concentration in recharge of 1.4 MG/L which is considerably less than the New York State standard of 10 MG/L. Nitrogen in this concentration is not expected to have an impact upon surface water or wetlands;
- (v) That the proposed site plan is in conformance with those applicable parameters as required by Article 6 of the Suffolk County Sanitary Code;
- (vi) That the proposed site plan indicates a sanitary sewage flow of 17,586 gallons per day and that upon the subject parcel being made part of the pending Sewer District extension for the Bridgewater Estates Condominium Project, the District will be in a position to provide the required service;
- (vii) That the subject site does not exhibit any rare or endangered flora or fauna. Due to historical disturbance of the proposed development area, the wildlife potential for the site is limited. The northern property, which is to remain undisturbed, is considered to have a confirmed muskrat den and a more significant wildlife habitat potential. The conservation of the northern parcel and the restoration of the wetland banks of the stream adjacent to the development area (via an ecological management plan as part of the required Article 24 permit) will have a significant beneficial impact upon wildlife habitat;
- (viii) That the proposed site plan includes a proposed clearing and grading plan designed to prevent stormwater runoff from reaching the wetland region. In order to control erosion during construction, the following control measures will be employed as described in the proposed construction schedule;

- (ix) That a Stage 1A Cultural Resources Assessment was performed and it is concluded that no significant cultural materials were recovered and that no further study is warranted.
- (x) That duck sludge exists and is located within the stream of the project site and it is concluded that the removal of such sludge could result in negative impacts to both wetlands and surface water quality. Natural degradation and non-removal would be the least upsetting to the environment.
- (xi) That the proposed site plan relies upon the clustering of yield from a contiguous parcel of land located on the north side of Route 58 approximately 66 feet northerly of the project site (Suffolk County Tax Map Number 0600-84-1-12). The "transfer" of 71,547 square feet of floor area (total site yield would generate 71,547 square feet of gross floor area) is predicated upon the sterilization of development of this property via an offer of dedication to the Town of Riverhead pursuant to the policies of Chapter 48, Article III of the Riverhead Town Code. It is the conclusion of the Riverhead Town Board that the non-contiguous clustering of commercial floor area supports the orderly development of the Town of Riverhead, while conserving valuable freshwater wetlands and wildlife habitat. The Lead Agency recognizes that in order to effect this cluster of commercial development, it will be necessary for the applicant to secure the following variances prior to site plan approval:
1. Maximum building area - Section 108-35
  2. Dimension of loading area - Section 108-61
  3. Side yard buffer.
- (xii) That the proposed site plan does not show vehicular access from Oliver Street in order to preserve the integrity of the existing residential neighborhood from generated traffic and that the proposed site plan depicts the following improvements with respect to the mitigation of impacts resulting from the generation of vehicular traffic:
- (a) Left hand turn lane into all site accesses;
  - (b) Signalization of Route 58 access;
  - (c) Additional east bound lane on Route 58 fronting the site;
  - (d) Left turn lanes at the intersection of Route 58 and Northville Turnpike for the northbound to west bound approach and the south bound to east bound approach;
  - (e) A 15 foot dedication shall be made available along Route 58 and Northville Turnpike to the County of Suffolk;
- (xiii) That the Final Environmental Impact Statement assessed the cumulative impacts of the subject petition, as well as other projects being considered by the Lead Agency within the general vicinity (Cross River Project, Mill Pond Commons,

Bridgewater Estates), upon the Saw Mill Creek and it is the conclusion of this Board that since the referenced projects have either mitigated or eliminated impacts to the Saw Mill Creek individually, the cumulative effect is not expected to impact the wetlands or surface water of the Saw Mill Creek. Mitigation measures include sewerage of waste water, wetland setbacks, reduced nitrogen turf management plans and control of storm water runoff. In recognition of the value of the surface water and wetlands resource identified in this environmental review process, the applicant shall provide in the contemplated site plan review process a wetland and surface water enhancement plan; such plan to be approved by the New York State Department of Environmental Conservation and the Riverhead Conservation Advisory Council.

Fifth, that having considered the Draft and Final Environmental Impact Statement, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR Part 617.9, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met;
2. Consistent with the social, economic, and other essential considerations from among the reasonable alternatives thereto, the action approved is one which minimizes or avoids adverse environmental effects to the maximum extent practicable; including the effects disclosed in the Environmental Impact Statement; and
3. Consistent with social, economic, and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the Environmental Impact Statement process will be minimized or avoided by incorporating as conditions to the decision those mitigative measures which were identified as practicable; and
4. (If applicable) consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR 600.5, this action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

# 255 DETERMINES ENVIRONMENTAL SIGNIFICANCE OF OVERLAY ZONE PETITION  
BY OLIN WARNER

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

WHEREAS, the Riverhead Town Board is in receipt of a petition for the use of the Recreational Overlay Zone to be used in conjunction with the existing zoning (Industrial A) on a 30 acre parcel located on the south side of Riverhead Road, Calverton (Suffolk County Tax Map Number 0600-118-4-5.1), such petition made by Olin F. Warner, and

WHEREAS, an earlier petition for industrial use of this property was made to the New York State Department of Environmental Conservation in conformance with the Wild, Scenic and Recreational Rivers Act, and

WHEREAS, the New York State Department of Environmental Conservation coordinated review of that action, and

WHEREAS, the Town of Riverhead assumed Lead Agency for that action and required the preparation of an Environmental Impact Statement, and

WHEREAS, the subject petition is considered to be a new application upon the same parcel; such application providing for a residential use as well as for the underlying use, and

WHEREAS, the Planning Department has reviewed the attending Environmental Assessment Form and has taken the position that build out under the Recreational Overlay Zone would have less of an impact upon the natural environment that build out under the existing Zoning Use District and considers the action to be in conformance in terms of both use and intensity with the intent of the Wild, Scenic and Recreational Rivers Act, and

WHEREAS, the Town Board has carefully considered the SEQR record to date, as well as other applicable and environmental information;

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board reaffirms its earlier resolution (# ) of Declaration of Lead Agency in the matter of the petition of Olin Warner, and

BE IT FURTHER

RESOLVED, that the Town Board finds that the use of the Recreational Overlay Zone is proper on this particular parcel, pursuant to the purposes of the Town of Riverhead Recreation District and the recreational designation of the State of New York, and

BE IT FURTHER

RESOLVED, that the proposed land use will have less of an impact upon the natural environment than that of uses provided for by the existing Zoning Use District, and

**BE IT FURTHER**

**RESOLVED**, that the action is considered to be a Type I Action without a significant effect upon the environment and that an Environmental Impact Statement for the application for the Overlay Zone need not be prepared, and

**BE IT FURTHER**

**RESOLVED**, that since the Overlay Zone is to be placed upon the subject parcel in conjunction with the existing Zoning Use District and by virtue of that action, the Lead Agency is uncertain as to the eventual build out, this resolution shall not be construed to obviate the need for a future determination of significance by this Board or by the Riverhead Planning Board, and

**BE IT FURTHER**

**RESOLVED**, that this petition for zoning amendment be referred to the Planning Board for their review and recommendation.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 256 ACCEPTS DRAFT ENVIRONMENTAL IMPACT STATEMENT OF SPLISH SPLASH  
AT ADVENTURE ISLAND AS ADEQUATE

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

WHEREAS, the Riverhead Town Board is in receipt of a Special Permit Petition for a recreational use in an Industrial Zone (to be located on the south side of Route 25, 2,000 feet + east of the Expressway interchange (Suffolk County Tax Map Number 0600-118-01-3.1); such petition submitted by Splish Splash at Adventure Island, Inc., and

WHEREAS, the Riverhead Town Board has declared itself to be the Lead Agency in this matter and has required the preparation of an Environmental Impact Statement, and

WHEREAS, a scoping hearing respecting the preparation of a Draft Environmental Impact Statement was held by the Lead Agency on January 2, 1990, and

WHEREAS, a scoping letter was transmitted to the applicant by the Planning Department, and

WHEREAS, a Draft Environmental Impact Statement has been prepared by the applicant and submitted to the Lead Agency, and

WHEREAS, the Planning Department has reviewed the Draft Environmental Impact Statement as well as all commentary which has been forthcoming and has recommended that the Town Board accept the Draft Environmental Impact Statement as adequate for review by involved agencies and parties of interest, and

WHEREAS, the Town Board has carefully considered the report of the Planning Department as well as all other information made part of the SEQR record to date;

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board, as Lead Agency, accept the Draft Environmental Impact Statement of Splish Splash as adequate for review in conformance with 6 NYCRR Part 617, and

BE IT FURTHER

RESOLVED, that the Planning Director prepare those Notices for acceptance as required by the New York State Environmental Conservation Law, and

BE IT FURTHER

RESOLVED, that the Lead Agency is to hold a public hearing on the Draft as provided by 6 NYCRR Part 617.8(d), and

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to publish the attached Notice of Public Hearing in the April 25, 1990, edition of the Suffolk County Life, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be sent to Allen M. Smith, Esq., as agent for the applicant.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

## NOTICE OF SEQR HEARING

The Riverhead Town Board, as Lead Agency, for the Special Permit petition of Splish Splash at Adventure island, Inc., hereby publishes this Notice of SEQR hearing pursuant to Part 617.10 of the implementing regulations pertaining to Article 8 of the State Environmental Conservation Law.

A Draft Environmental Impact Statement has been completed and accepted for the proposed action described below. Comments on the Draft Environmental Impact Statement are requested and will be accepted by the Riverhead Town Board until May 21, 1990. A public hearing on the Draft will be held on May 15, 1990, at 7:45 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York.

Description of Action: A Special Permit for a recreational use in an Industrial A Zone to provide for the construction of a water slide theme park to be privately owned. The site plan attending the special permit depicts water slides, parking areas, out buildings, and vegetated areas.

Location of Action: The site (Suffolk County Tax Map Number 0600-118-01-3.1) is situated approximately 2,000 feet west of the cloverleaf at New York State Route 25 and the Long Island Expressway.

## Potential Environmental Impacts:

- a) Impacts resulting from water use and disposal;
- b) Impacts resulting from motor vehicle traffic;
- c) Impacts upon existing land use plans;
- d) Impacts upon the socioeconomic environment;
- e) Impacts upon the natural environment;
- f) Impacts upon existing visual environment.

A copy of the Draft Environmental Impact Statement may be obtained from:

Mr. Richard Hanley  
Planning Director  
Town of Riverhead  
200 Howell Avenue  
Riverhead, NY 11901

# 257 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE RE:  
SPECIAL PERMIT APPLICATION OF PETER S. DANOWSKI

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, Peter S. Danowski, by petition dated on or about November 6, 1989, requested that the Business PB Zoning Use District designation be imposed on the site in conjunction with the Residence C Zoning Use District; and

WHEREAS, the Town Board of the Town of Riverhead has assumed lead agency in the instant application; and

WHEREAS, the matter had been referred to the Planning Board which, by letter resolution dated March 16, 1990, did recommend to the Town Board that the special permit application of Peter S. Danowski for a Business PB overlay on said property be approved according to the Code of the Town of Riverhead as to any restrictions, requirements and/or limitations as detailed in Chapter 108 thereof.

**NOW, THEREFORE BE IT**

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the following public notice with regard to the special permit application of Peter S. Danowski:

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 1st day of May, 1990, at 8:05 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to provide for the professional office overlay zone upon a parcel of land presently zoned Residence C, which parcel is located on the West side of Roanoke Avenue, 150 feet North of Franklin Street, Riverhead, New York, known and designated as SCTM #0600-126-2-24.

Dated: Riverhead, New York  
April 17, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 258 REJECTS BIDS AND AUTHORIZES TOWN CLERK TO REPOST AND REPUBLISH NOTICE TO BIDDERS RE: THE INSTALLATION OF WATER MAINS AND APPURTENANCES FOR THE RIVERHEAD WATER DISTRICT (BAITING HOLLOW COTTAGE CONDOMINIUMS)

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti.

WHEREAS, the Town Clerk was authorized to publish and post Notice to Bidders for the installation of water mains and appurtenances for the Riverhead Water District at the Baiting Hollow Condominiums; and

WHEREAS, bids were received and opened on March 19, 1990; and

WHEREAS, it is the desire of the Town Board to reject all bids received; and, therefore,

BE IT RESOLVED, that the Town Clerk be and is hereby authorized to republish and repost the attached notice to bidders for installation of water mains and appurtenances at the Baiting Hollow Cottage Condominiums.

DATED: Riverhead, New York  
April 17, 1990

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

## NOTICE TO BIDDERS

The Town 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, NY 11901, at 11:00 A.M., prevailing time on Friday April 27, 1990, at which time and place all bids will be publicly opened and read for the following contract:

RDWD 89-57            BAITING HOLLOW COTTAGE CONDOMINIUM

Contract documents, including drawings and technical specifications, are on file at the office of:

- (a) Town Clerk, Town of Riverhead  
Town Hall, 200 Howell Avenue  
Riverhead, NY 11901
- (b) Holzmacher, McLendon & Murrell, P.C.  
575 Broad Hollow Road  
Melville, NY 11747

Copies of the contract documents may be obtained at the above locations on or after Wednesday, April 18, 1990, 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 Plans and Specifications within ten (10) days in good condition; 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 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

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD WATER DISTRICT

IRENE J. PENDZICK, TOWN CLERK  
TOWN OF RIVERHEAD  
RIVERHEAD, NEW YORK

DATED: APRIL 17, 1990

# 259 AUTHORIZES USE OF PROPERTY FOR DRAINAGE EASEMENT -  
REEVES PARK ESTATES

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

WHEREAS, the Town of Riverhead Water District owns a 60 by 100-foot parcel located at the corner of Park Road and Hill Drive, "Map of Reeves Park Estates", which map was filed on April 10, 1939, as Map No. 1276 in the Office of the Suffolk County Clerk, known and designated as SCTM 0600-13-5-6; and

WHEREAS, the Town of Riverhead Water District authorizes the use of said land for a 30-foot drainage easement.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Riverhead is authorized to use a 30-foot area on the above-described parcel of land located at Park Road and Hill Drive, Riverhead, New York; and be it further

RESOLVED, that the Riverhead Water District hereby grants an easement to the Town of Riverhead for drainage purposes; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Water District; Riverhead Highway Department; Kenneth Testa, P.E., Town Engineer; and the Town Attorney's Office.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

4/17/90

380

# 260

AUTHORIZES THE SOLICITATION FOR BIDS FOR  
WATER SERVICE MATERIALS

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

RESOLVED, that the Town Clerk be and hereby is authorized to  
advertise for sealed bids for the purchase of WATER SERVICE MATERIALS  
for use by the RIVERHEAD WATER DISTRICT, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized  
to open and publicly read aloud said bids at 11:00 A.M. on  
April 30, 1990, at Town Hall, 200 Howell Ave., Riverhead  
New York; and to make a report of said bids to the Town Board at the next  
public meeting following the opening of the bids.

NOTICE TO BIDDERS ATTACHED

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed bids for the purchase of WATER SERVICE MATERIALS for the use by  
the RIVERHEAD WATER DISTRICT, will be received by the Town Clerk of the  
Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until  
11:00 a.m. on April 30, 1990.

Bid packets, including specifications, instructions and bid forms, may be  
obtained at the Town Clerk's Office at Town Hall Monday through Friday between the  
hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the  
specifications must be listed on a separate sheet of paper bearing the designation  
"EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any and all  
bids if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation,  
WATER SERVICE MATERIALS.

DATED: 4/17/90

BY THE ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

# 261 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACTS BETWEEN THE TOWN OF RIVERHEAD AND RICHARD HANLEY, JOHN J. HANSEN, STANLEY GRODSKI, ANDREA LOHNEISS, GARY PENDZICK, RAYMOND WIWCZAR IN THEIR RESPECTIVE POSITIONS OF DEPARTMENT HEAD

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Lombardi.

RESOLVED, that the Supervisor be and is hereby authorized to execute contracts between the Town of Riverhead and Richard Hanley, John J. Hansen, Stanley Grodski, Andrea Lohneiss, Gary Pendzick, Raymond Wiwczar in their respective positions as department heads; and

BE IT FURTHER RESOLVED, that said contracts are subject to the review of the Town Board 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 the above-named individuals.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 262 AMENDS SITE PLAN OF DICANIO RESIDENTIAL COMMUNITIES, INC., FOR COUNTRY COMMONS AT AQUEBOGUE

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

WHEREAS, by resolutions dated February 3, 1987, May 19, 1987, and March 7, 1989, the Town Board of the Town of Riverhead did approve and amend a site plan and elevations for a commercial complex located at Main Road (New York State Route 25) and Tuthill's Lane, Aquebogue, New York, known and designated as Suffolk County Tax Map Number 0600-68-3-1, and

WHEREAS, a revised site plan and elevations for Building #4 were submitted by DiCano Residential Communities, Inc., 712 Smithtown By-Pass, Smithtown, New York, 11787, which site plan and elevations were prepared by John Bernabeo of the DiCano Organization and dated April 2, 1990, and May 30, 1989, respectively, and

WHEREAS, the Planning Department has reviewed the revised site plan and elevations and has recommended to the Town Board of the Town of Riverhead that said amendments be approved with conditions, 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 an Unlisted Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617, and

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the site plan approval of DiCano Residential Communities, Inc., 712 Smithtown By-Pass, Smithtown, New York, 11787, for the commercial project known as "Country Commons at Aquebogue," be and is hereby amended to incorporate the following:

- The provision of rear loading areas to each building, to be suitably marked and signed as indicated;
- An additional curb cut onto Tuthill's Lane, screened by a wood gate, subject to the approval of the Superintendent of Highways;
- The location of two (2) garbage dumpsters, suitably screened;
- The deletion of a fountain and benches and replacement of same with plantings and/or existing plant material;
- The inclusion of a lattice fence and plantings between Buildings #1 and #3;

- The inclusion of a sidewalk through the middle of the campus, the design of which shall reflect a natural character;
- Buffer and screen plantings, as indicated on the site plan initialled by a majority of the Town Board;

as shown on a revised site plan prepared by John Bernabeo of the DiCano Organization, dated last April 2, 1990, amended in-house and initialled by a majority of the Town Board, and elevations for Building #4, also prepared by John Bernabeo, dated May 30, 1989, and

**BE IT FURTHER**

**RESOLVED**, that these amendments shall not be construed as constituting approval of a change in the footprints of Buildings #1 and #3 to form one (1) building, and that any change to the footprints of said buildings shall be the subject of a future Town Board resolution, and

**BE IT FURTHER**

**RESOLVED**, that the planted buffers to residential uses as well as along Tuthill's Lane, shall be a minimum ten (10) feet in width, and that paved access roads where shown, shall be reduced in width as necessary to allow for said ten (10) feet wide planted buffers, and

**BE IT FURTHER**

**RESOLVED**, that the Town Board accept a performance bond for landscaping of Building 2 in the amount of \$1,900 and that an additional cash payment or bond of \$1,500 be forthcoming prior to issuance of a certificate of occupancy; and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a Certified Copy of this resolution to DiCano Residential Communities, Inc., the Riverhead Planning Department, the Riverhead Building Department, and the Office of the Town Attorney.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 263 ACCEPTS SUBSTITUTION OF LETTERS OF CREDIT RE: SUBDIVISION KNOWN AS "SUN-UP"

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

WHEREAS, principals of the subdivision known as "Sun-Up" located at Peconic Bay Boulevard, Aquebogue, New York, did post letters of credit which were previously accepted by the Town Board to assure completion of the subdivision improvements, water district construction payments, water district key money, and park and recreation fees; and

WHEREAS, Allen M. Smith, as attorney for the purchaser of the subdivision map known as "Sun-Up", has submitted substitute letters of credit assuring the payment of these expenses.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is authorized upon presentation of the original letters of credit listed below to release to Allen M. Smith, as attorney for the purchaser of the subdivision map, the letters of credit previously posted for the following:

- 1) Water District Extension and Construction - \$ 99,000
- 2) Road Improvement Bond - \$317,000
- 3) Recreation Fees - \$ 74,000
- 4) Water District Capital Construction Fee - \$ 92,500; and

BE IT FURTHER RESOLVED, that the obligations by these letters of credit are not in any way altered or the expiration dates extended; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward certified copies of this resolution to Allen M. Smith, Esq., Robert L. Tooker, Esq., Riverhead Planning Board, Riverhead Building Department, and the Superintendent of the Water District.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.  
The resolution was thereupon duly declared adopted.

Date \_\_\_\_\_

PROMOTION TO CAPTAINNo. 264

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

Whereas there exists a vacancy in the Police Department for the position of Captain, and,

Whereas the Suffolk County Department of Civil Service has presented a list of eligibles for said position, now therefore,

Be it Resolved, that Donald Robinson. is hereby promoted to the position of Captain at an annual salary of \$63,641.30 effective April 14, 1990, and

Be it further Resolved, that the Town Supervisor is hereby authorized to enter into and sign an employment contract with Donald Robinson.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 265 RESCINDS RESOLUTION #241 OF APRIL 3, 1990, AND AMENDS SITE PLAN OF LAURAMA PROPERTIES

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi :

WHEREAS, by Resolution #645, dated October 4, 1988, the Town Board of the Town of Riverhead did approve a site plan and elevation drawings for Laurama Properties for the construction of a three-story, fifteen thousand square foot steel and masonry office building located on the north side of Old Country Road (County Route 58), known and designated as Suffolk County Tax Map Number 0600-84-4-30.1, and

WHEREAS, the applicants have requested amendments to said site plan approval, which amendments include the utilization of the east side yard buffer for additional parking stalls, and a change in the approved brick facade material, and

WHEREAS, the Planning Department has reviewed the site plan dated December 16, 1989, and last revised November 28, 1989, as prepared by Robert J. Gruber, Architect, 476 Expressway Drive South, Medford, New York, 11763, and elevations (Sheets 1 and 2 of 5), dated December 13, 1988, and last revised December 13, 1989, also prepared by Robert J. Gruber, Architect, and has recommended to the Town Board of the Town of Riverhead that said amendments be approved, and

WHEREAS, the Environmental Quality Review Board has determined that the action is an Unlisted Action without significant impact upon the environment, 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 an Unlisted Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617, and

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

WHEREAS, this Town Board did adopt Resolution #241 entitled "AMENDS SITE PLAN APPROVAL OF LAURAMA PROPERTIES (PAUL ELLIOTT AND ROBERT RAPP, JR.)" at its regularly scheduled meeting of April 3, 1990, and

WHEREAS, after discussion with the applicant, it is the desire of the Town Board to rescind Resolution #241 of April 3, 1990;

NOW, THEREFORE, BE IT

RESOLVED, that Resolution #241 adopted by this Town Board at its meeting of April 3, 1990, be and is hereby rescinded and that the site plan approval of Laurama Properties for the construction of a three-story, fifteen thousand square foot steel and masonry office building located on the north side of Old Country Road (County Route 58), be and hereby is amended by the Town Board of the Town of Riverhead to

incorporate the site plan dated December 16, 1987, and last revised November 28, 1989, as prepared by Robert J. Gruber, Architect, 476 Expressway Drive South, Medford, New York, 11763, 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 by execution and filing of this document, Laurama Properties hereby authorizes and consents to the Town of Riverhead to enter premises at the north side of Old Country Road (County Route 58), Riverhead, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

4. That the conditions of Town Board Resolution #645, dated October 4, 1988, shall remain in full force and effect;

5. That the material and design of the rooftop railing shall be subject to further review and approval of the Planning Department;

6. That those trees so noted on the site plan approval herein, which has been initialled by a majority of the Town Board, shall be moved as indicated thereon, and that the east planting buffer shall contain, in addition to the arborvitae shown, at least six (6) London Plane Trees, or approved equal, as indicated;

7. Subject to the satisfactory agreement entered into in writing between the Supervisor and the developer committing the developer to undertake a community improvement project to the satisfaction of the Town Board; and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Paul Elliott, Robert Rapp, Jr., Robert J. Gruber, the Riverhead Planning Department, Building Department, and the Office of the Town Attorney.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

## DECLARATION AND COVENANTS

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 1989, made by Robert C. Rapp, Jr. and Paul Elliott residing at 112 Maple Place, Port Jefferson, New York, 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 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 by execution and filing of this document, Laurama Properties hereby authorizes and consents to the Town of Riverhead to enter premises at the north side of Old Country Road (County Route 58), Riverhead, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

4. That the conditions of Town Board Resolution #645, dated October 4, 1988, shall remain in full force and effect;

5. That the material and design of the rooftop railing shall be subject to further review and approval of the Planning Department;

6. That those trees so noted on the site plan approval herein, which has been initialled by a majority of the Town Board, shall be moved as indicated thereon, and that the east planting buffer shall contain, in addition to the arborvitae shown, at least six (6) London Plane Trees, or approved equal, as indicated;

7. Subject to the satisfactory agreement entered into in writing between the Supervisor and the developer committing the developer to undertake a community improvement project to the satisfaction of the Town Board.

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

\_\_\_\_\_  
Robert C. Rapp., Jr.

\_\_\_\_\_  
Paul Elliott

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

On the \_\_\_\_\_ day of \_\_\_\_\_, 1989, before me personally came Robert C. Rapp, Jr., and Paul Elliott, to me known and known to be the individuals who executed the foregoing instrument; that they are the owners of certain real property located at the north side of Old Country Road (County Route 58), Riverhead, New York, the subject property of this Declaration and Covenant, and understand the content thereof; and that they did swear to me that they executed the same.

\_\_\_\_\_  
NOTARY PUBLIC

#266 APPROVES SITE PLAN OF WILLIAM TINTLE, SR.

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

WHEREAS, a site plan and elevations were submitted by William Tintle, Sr. for construction of a 16,800 square foot truck maintenance and storage building located at south side Middle Country Road, west of Edwards Avenue, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-117-1-2; and

WHEREAS, the Planning Department has reviewed the site plan dated March 10, 1989, dated last February 12, 1990, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, New York 11901, and elevations dated October 18, 1989, as prepared by Fred N. Snyder, P.E., 467 Commack Road, Commack, New York 11725, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Environmental Quality Review Board has determined that the action is a(n) Unlisted Action without significant impact upon the environment; 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 and constrained by the clearing limits shown, is an Unlisted Action without a significant impact upon the environment and that an Environmental Impact Statement shall not be prepared; 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 Tintle, Sr., for construction of a 16,800 square foot truck maintenance and storage building, located at south side Middle Country Road, west of Edwards Avenue, Calverton, New York, site plan dated March 10, 1989, dated last February 12, 1990, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, New York 11901, and elevations dated October 18, 1989, as prepared by Fred N. Snyder, P.E., 467 Commack Road, Commack, New York 11725, 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 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 TINTLE, SR. AND WILLIAM TINTLE, JR. hereby authorizes and consents to the Town of Riverhead to enter premises at south side Middle Country Road, west of Edwards Avenue, Calverton, New York, to enforce said handicapped parking regulations;
10. That by execution and filing of this document, WILLIAM TINTLE, SR. AND WILLIAM TINTLE, JR. hereby authorizes and consents to the Town of Riverhead to enter premises at south side Middle Country Road, west of Edwards Avenue, Calverton, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

11. 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;

12. That all utilities shall be constructed underground;

13. That the tree line delineated immediately south of the proposed building on the site plan approved herein shall, for the purpose of this approval, constitute the limit of clearing and grading;

14. That curbing shall be provided where indicated on the site plan approved herein and initialled by a majority of the Town Board;

15. That the newly-graded area on the east property boundary shall be stabilized with grass, or equal, groundcover;

16. That this site plan approval shall be subject to a variance of the Zoning Board of Appeals for the use of a surface other than asphalt or concrete for required parking; and be it further

RESOLVED, that pursuant to an offer by the applicant, the applicant shall provide the Town Board with a reorganization of the front yard storage area into a product sample area; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to William Tintle, Sr., Young & Young, Fred Snyder, Peter S. Danowski, Jr., Esq., the Riverhead Planning Department, the Riverhead Building Department, and the Office of the Town Attorney.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolutkion was thereupon duly declared adopted.

## DECLARATION AND COVENANTS

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 1989, made by WILLIAM TINTLE, SR. AND WILLIAM TINTLE, JR., residing at Lewis Road, East Quogue, New York 11942, 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 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 by execution and filing of this document, WILLIAM TINTLE, SR. AND WILLIAM TINTLE, JR. hereby authorizes and consents to the Town of Riverhead to enter premises at south side Middle Country Road, west of Edwards Avenue, Calverton, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;
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. That the tree line delineated immediately south of the proposed building on the site plan approved herein shall, for the purpose of this approval, constitute the limit of clearing and grading;
13. That curbing shall be provided where indicated on the site plan approved herein and initialled by a majority of the Town Board;
14. That the newly-graded area on the east property boundary shall be stabilized with grass, or equal, groundcover;

15. That this site plan approval shall be subject to a variance of the Zoning Board of Appeals for the use of a surface other than asphalt or concrete for required parking.

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

\_\_\_\_\_  
WILLIAM TINTLE, SR.

\_\_\_\_\_  
WILLIAM TINTLE, JR.

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

On the \_\_\_\_\_ day of \_\_\_\_\_, 1989, before me personally came WILLIAM TINTLE, SR. AND WILLIAM TINTLE, JR., to me known and known to be the individuals who executed the foregoing instrument; that they are the owners of certain real property located at south side Middle Country Road, west of Edwards Avenue, Calverton, New York, the subject property of this Declaration and Covenant, and understand the content thereof; and that they did swear to me that they executed the same.

\_\_\_\_\_  
NOTARY PUBLIC

# 267 APPROVES SPECIAL PERMIT APPLICATION OF JASON H. SOSSIN  
(BLACKMAN OF RIVERHEAD)

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

**WHEREAS**, by application dated March 5, 1987, Jason H. Sossin did apply to this Town Board for a special permit to construct an addition to a preexisting, nonconforming warehouse at premises located at at the Southwest corner of Sound Avenue and Osborne Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-41-2-3, said application made pursuant to Section 108-69 of the Code of the Town of Riverhead; and

**WHEREAS**, this matter was referred to the Planning Board for its review and recommendation; and

**WHEREAS**, by letter dated April 27, 1987, the Planning Board recommended that the special permit of Jason H. Sossin be approved; and

**WHEREAS**, on the 2nd of June, 1987, this Town Board held a public hearing wherein all persons wishing to be heard were heard; and

**WHEREAS**, the site is served by public water, public sewer and the Riverhead Parking District; and

**WHEREAS**, the Environmental Quality Review Board has determined that the action is a(n) Unlisted action without significant impact upon the environment; 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 special permit applied for will be a(n) Unlisted action without a significant impact upon the environment pursuant to the State Environmental Quality Review Act.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board determines as follows:

a. The use will not prevent or substantially impair either the reasonable and orderly use or development of other properties in the neighborhood;

b. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town, particularly insofar as the addition of a substantial number of plantings, which plantings shall, at or before maturity, enhance the appearance of an industrial facility along its primary elevation while buffering currently available views from other directions;

c. The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the expansion of the preexisting, nonconforming use;

d. Such use will be in harmony with and promote the general purposes and intent of Chapter 108 of the Code of the Town of Riverhead; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the special permit application of Jason H. Sossin for property located at at the Southwest corner of Sound Avenue and Osborne Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-41-2-3, pursuant to Section 108-69 of the Code of the Town of Riverhead; and be it further

RESOLVED, that no building permit shall be issued until the Town Board has approved a site plan, by resolution; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Jason H. Sossin, the Riverhead Planning Department, the Town Attorney's Office and the Riverhead Building Department.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

268      APPROVES SITE PLAN OF BLACKMAN RIVERHEAD CORPORATION  
(JASON H. SOSSIN)

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

WHEREAS, a site plan and elevations were submitted by Jason H. Sossin as agent for Blackman Riverhead Corporation for construction of a 35,340 square foot warehouse addition located at southwest corner of Sound Avenue and Osborne Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-41-2-3; and

WHEREAS, the Planning Department has reviewed the site plan dated January 5, 1988, most recently revised March 6, 1990 as prepared by Frederick E. Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, and elevations dated January 17, 1987, most recently revised March 6, 1990, as prepared by Frederick E. Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, and planting plan dated February 15, 1990, prepared by Nancy Lenz, R.L.A., 251-06 60th Avenue, Little Neck, New York, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved as amended in-house; and

WHEREAS, the Environmental Quality Review Board has determined that the action is a(n) Unlisted Action without significant impact upon the environment; 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, this Town Board has reviewed the site plan and elevations aforementioned.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the site plan and elevations submitted by Jason H. Sossin as agent for Blackman Riverhead Corporation, for construction of a 35,340 square foot warehouse addition, located at southwest corner of Sound Avenue and Osborne Avenue, Riverhead, New York, site plan dated January 5, 1988, most recently revised March 6, 1990 as prepared by Frederick E. Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, and elevations dated January 17, 1987, most recently revised March 6, 1990, as prepared by Frederick E. Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, and planting plan dated February 15, 1990, prepared by Nancy Lenz, R.L.A., 251-06 60th Avenue, Little Neck, New York, 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 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, JASON H. SOSSIN hereby authorizes and consents to the Town of Riverhead to enter premises at southwest corner of Sound Avenue and Osborne Avenue, Riverhead, New York, to enforce said handicapped parking regulations;
9. That by execution and filing of this document, JASON H. SOSSIN hereby authorizes and consents to the Town of Riverhead to enter premises at southwest corner of Sound Avenue and Osborne Avenue, Riverhead, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

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 the applicant agrees to submit a sample of the proposed siding material for review and approval, prior to its installation on site;

12. That the textured masonry units shown on the north elevation of the proposed addition shall be brick red, to match, insofar as possible, the existing bricks on said building face;

13. That the six (6) parking stalls indicated on the south side of the proposed addition shall be landbanked until such time as deemed necessary and so ordered by the Town Board of the Town of Riverhead; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Jason H. Sossin as agent for Blackman Riverhead Corporation, Frederick E. Wood, P.E., Nancy Lenz, R.L.A., Charles Cuddy, Esq., the Riverhead Planning Department, the Riverhead Building Department, and the Office of the Town Attorney.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

## DECLARATION AND COVENANTS

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 1989, made by JASON H. SOSSIN, residing at 172 Durkee Lane, East Patchogue, New York, 11772, 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 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 by execution and filing of this document, JASON H. SOSSIN hereby authorizes and consents to the Town of Riverhead to enter premises at southwest corner of Sound Avenue and Osborne Avenue, Riverhead, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

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 the applicant agrees to submit a sample of the proposed siding material for review and approval, prior to its installation on site;

11. That the textured masonry units shown on the north elevation of the proposed addition shall be brick red, to match, insofar as possible, the existing bricks on said building face;

12. That the six (6) parking stalls indicated on the south side of the proposed addition shall be landbanked until such time as deemed necessary and so ordered by the Town Board of the Town of Riverhead.



**# 269 AUTHORIZES PAYMENT OF BILLS.**

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

RESOLVED, that the Supervisor be and is hereby authorized to pay the following:

<b><u>GENERAL TOWN</u></b>			
Abstract #6	vouchers 933-1128	totalling \$	169,815.91
<b><u>HIGHWAY</u></b>			
Abstract #6	vouchers 155-164	totalling \$	32,295.24
<b><u>STREET LIGHTING</u></b>			
Abstract #6	vouchers 50-54	totalling \$	1,086.78
<b><u>PUBLIC PARKING</u></b>			
Abstract #6	vouchers 33-35	totalling \$	903.93
<b><u>PARKING METER</u></b>			
Abstract #6	vouchers 2	totalling \$	42.66
<b><u>DISCRETIONARY</u></b>			
Abstract #6	vouchers 44-47	totalling \$	4,893.20
<b><u>MUNICIPAL GARAGE</u></b>			
Abstract #6	vouchers 60-69	totalling \$	2,620.08
<b><u>MUNICIPAL FUEL</u></b>			
Abstract #6	vouchers 8-10	totalling \$	6,785.01
<b><u>TOWN HALL CAPITAL PROJECTS</u></b>			
Abstract #6	vouchers 21	totalling \$	600.00
<b><u>SENIORS HELPING SENIORS</u></b>			
Abstract #6	vouchers 38-41	totalling \$	244.45
<b><u>EISEP</u></b>			
Abstract #6	vouchers 23-28	totalling \$	297.60
<b><u>TEEN CENTER</u></b>			
Abstract #6	vouchers 4	totalling \$	55.50
<b><u>TRUST &amp; AGENCY</u></b>			
Abstract #6	vouchers 15-16	totalling \$	867,106.61
<b><u>EIGHT HUNDRED SERIES</u></b>			
Abstract #6	vouchers 25-34	totalling \$	74,557.42
<b><u>YOUTH SERVICES</u></b>			
Abstract #6	vouchers 23-24	totalling \$	497.70

RECREATION PROGRAM

Abstracat #6 vouchers 7-14 totalling \$ 1,339.00

RISK RETENTION

Abstract #6 vouchers 26-41 totalling \$ 11,248.79

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 270 ADOPTS AMENDMENT TO SECTION 108-21 OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider an amendment to Section 108-21 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of April, 1990, at 7:55 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 an amendment to Section 108-21 of the Riverhead Town Code be and is hereby adopted as follows:

108-21. Uses.

A. Permitted uses.

(18) Temporary greenhouses, provided that the subject parcel is a minimum of five (5) acres and further subject to site plan review pursuant to Article XXVI and Section 108-64.3 of the Riverhead Town Code.

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, Planning Department and the Town Attorney's Office.

Dated: Riverhead, New York  
April 17, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

# 27

ADOPTS AMENDMENT TO SECTION 108-64.3 OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider an amendment to Section 108-64.3 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of April, 1990, at 8:05 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 an amendment to Section 108-64.3 of the Riverhead Town Code be and is hereby adopted as follows:

A. Location.

Temporary greenhouses may be located on a parcel of land in the Residence B., Residence C, and Residence D and Agriculture A Zoning Use Districts as set forth below, provided that the subject parcel is a minimum of five (5) acres. The subject parcel may be owned or leased, either individually or as a partnership, and the aggregate of the subject contiguous parcel(s) shall be a minimum of five (5) acres.

B. Lot requirements.

The following lot requirements shall apply to temporary greenhouses only:

Zoning District	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard
<u>Agriculture A</u>	<u>40</u>	<u>30</u>	<u>40</u>

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, Planning Department and the Town Attorney's Office.

Dated: Riverhead, New York  
April 17, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.