

204 AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER NO. 1 AND 2 RE: ELDOR CONTRACTING, CORP. (RIVERSIDE DRIVE PUMP STATION)

Councilperson Boschetti offered the following resolution which was seconded by Councilperson Pike.

WHEREAS, the Riverhead Town Board previously authorized the Supervisor to execute a contract on behalf of the Town of Riverhead with Eldor 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 a copy of this resolution shall be forwarded to the Supervisor, Pierre G. Lundberg and the Engineer.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

205 AUTHORIZES EMERGENCY EXPENDITURES FOR RIVERHEAD WATER DISTRICT

Councilperson PIKE offered the following resolution, which was seconded by Councilperson BOSCHETTI:

WHEREAS, the Riverhead Water District needed to replace a pump located at the Pulaski Street Main Plant, identified as Pump #3; and

WHEREAS, pursuant to Section 103(4) of General Municipal Law, a case of Public Emergency arising out of an unforeseen condition whereby circumstances affecting public life, health, safety or property of the inhabitants of the Riverhead Water District existed; and

WHEREAS, the Riverhead Water District had to take immediate action which could not await competitive bidding.

NOW, THEREFORE, BE IT

RESOLVED, that authorization for the Superintendent of the Riverhead Water District to replace Pump #3, together with supplies, materials and equipment, in the amount of \$18,000.00 is hereby given retroactive to March 9, 1989; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Gary Pendzick and Pierre G. Lundberg, Esq.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

206 AWARDS BID FOR INSTALLATION OF WATER MAINS AND APPURTENANCES FOR MESTA VISTA

Councilperson Civilette 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 installation of water mains and appurtenances within the subdivision known as Mesta Vista; and

WHEREAS, bids were received and read aloud on the 16th of March, 1989, 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; and

WHEREAS, a total of seven (7) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for installation of water mains and appurtenances within the subdivision known as Mesta Vista be and is hereby awarded to Grimes Contracting Co., Inc. in an amount not to exceed one hundred five thousand four hundred and 00/100 (\$105,400.00) dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Grimes Contracting Co., Inc., Allen M. Smith, Esq., attorney for applicant, Pierre G. Lundberg, Esq. and the Riverhead Water District.

The vote, Boschetti, yes, Pike, Yes, Civiletti, yes, Lombardi yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

207 AWARDS BID FOR INSTALLATION OF PRIVATE WATER SERVICES AT WADING RIVER

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 installation of private water services at Wading River; and

WHEREAS, bids were received and read aloud on the 13th of March, 1989, 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; and

WHEREAS, a total of five (5) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for installation of private water services at Wading River be and is hereby awarded to All Island Plumbing in the amount of fifty-six thousand seven hundred sixty-three and 00/100 (\$56,763.00) dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to All Island Plumbing, Pierre G. Lundberg, Esq, and the Piverhead Water District.

The vote, Boschetti, Yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

208 AWARDS BID FOR TRUCK FOR USE BY THE RIVERHEAD WATER DISTRICT

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

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

WHEREAS, bids were received and read aloud on the 7th of March, 1989, 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; and

WHEREAS, a total of three (3) bids were received; and

WHEREAS, it is the desire of the Superintendent of the Riverhead Water District to purchase two (2) pickup trucks.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the pickup trucks for use by the Riverhead Water District be and is hereby awarded to Ramp Cehvrolet, Inc. in the amount of eleven thousand four hundred fourteen (\$11,414.00) dollars each, the total amount awarded being twenty-two thousand eight hundred twenty-eight (\$22,828.00) 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 Cehvrolet, Inc. and the Riverhead Water District.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

209 AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICES RE:
ANNUAL REPORT - RIVERHEAD WATER DISTRICT

Councilperson BOSCHETTI offered the following resolution, which was seconded by Councilperson PIKE:

WHEREAS, the Riverhead Water District is required to announce publication of its annual report and to publish same in the official town newspaper and one other newspaper having circulation within the town; and

WHEREAS, said publications are now due.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached notice once in the March 23, 1989, issues of both **Newsday** and the **Riverhead News-Review**; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the annual report and duty statement of the Riverhead Water District in the March 30, 1989, issues of both **Newsday** and the **Riverhead News-Review**; 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.

The vote, Boschetti, yes, Pike yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted,

TOWN OF RIVERHEAD

RESOLUTION # 210

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR ONE (1)
1988 INTERNATIONAL MODEL 1954 WITH 1988 18 YARD LEACH PACKER

COUNCILPERSON Pike OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILPERSON Boschetti.

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD
BE AND IS HEREBY AUTHORIZED TO ADVERTISE FOR BIDS FOR ONE (1)
1988 INTERNATIONAL MODEL 1954 WITH 1988 18 YARD LEACH PACKER
FOR USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND BE IT FURTHER

RESOLVED, THAT THE SPECIFICATIONS AND FORMS FOR BIDDING
BE PREPARED BY THE SUPERINTENDENT OF HIGHWAYS, AND BIDS TO BE
RETURNABLE UP TO 11:00 A.M. ON APRIL 5, 1989, AND BE IT FURTHER

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE
AND IS HEREBY AUTHORIZED TO OPEN PUBLICLY AND READ ALOUD ON
APRIL 5, 1989 AT 11:00 A.M. AT THE TOWN CLERK OFFICE, 200 HOWELL
AVENUE, RIVERHEAD, NEW YORK 11901, ALL BIDS BEARING THE DESIGN-
ATION " BID ON ONE (1) 1988 INTERNATIONAL MODEL 1954 WITH 1988
18 YARD LEACH PACKER".

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

211 AUTHORIZES ASSIGNMENT OF LEASE RE: EAST CREEK MARINA

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

WHEREAS, by letter dated January 3, 1989, A. Lawrence Galasso has requested that the lease between the Town of Riverhead and East Creek Marina, Inc., for property located at Town Beach Road, South Jamesport, New York, be assigned to Richard and Maureen Smith; and

WHEREAS, the Town Board has received and reviewed all pertinent documentation regarding the assignment of the lease; and

WHEREAS, it is the desire of the Town Board to assign the lease it has with East Creek Marina, Inc., subject to certain changes agreed to by all parties.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute an assignment of lease between the Town of Riverhead and East Creek Marina, Inc., assigning said lease to Richard and Maureen Smith, subject to the following changes to the lease:

A. Paragraph 11 of the lease shall read:

"11. Insurance: As additional rental for the demised premises, the lessee shall insure and keep insured, the premises covered by the lease with insurance company acceptable to the lessor and shall procure, pay for and deliver to the lessor the policies of insurance covering the following: Marina Insurance, in the name of the Town of Riverhead as insured, including but not limited to public liability insurance for a minimum combined single limit of one million (\$1,000,000.00) dollars. The lessee is nonetheless responsible to replace any and all damage to the improvement of the demised premises with the exception of the building, ...".

B. The Assigned lease will be guaranteed A. Lawrence Galasso and Arlene Galasso.

C. Paragraph 9(c) shall be changed to read as follows:

c. The residents of the Town of Riverhead shall have first right to slip rentals subject to the written policy guidelines in the "Summer Dockage Contract" and provided the residents have reserved and paid for the rental no later than April 1 of each year.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to A. Lawrence Galasso, Richard and Maureen Smith, Peter S. Danowski, Jr., Esq., attorney for the Smiths, the Supervisor's Office and the Town Attorney's Office.

The vote, Boschetti, no, Pike, no, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon upon declared adopted.

(See page 213 of teh 1989 Minute Book for comments prior to the vote).

212 AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE
RE: APPLICATION OF VICTOR PAFUNDI (MOTEL ON THE BAY)

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

WHEREAS, the Conservation Advisory Council has made a recommendation to the Town Board that the application of Victor Pafundi to install docking facilities on Cases Creek located at Bay Avenue, Jamesport, New York, known as SCTM #0600-87-1-46, be denied; and

WHEREAS, pursuant to Riverhead Town Code Section 107-7, the applicant, by his agent Charles W. Bowman of The Land Use Company, has interposed his objection to the Conservation Advisory Council's recommendation; and

WHEREAS, it is necessary to call a public hearing before all interested persons.

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing shall be held on the 4th day of April, 1989, at 7:45 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the application of Victor Pafundi to install docking facilities at Cases Creek, a designated Critical Environmental Area, which creek is adjacent to property owned by the applicant located at Bay Avenue, Jamesport, New York, known and designated as SCTM #0600-87-1-46; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution, in its entirety, once in the Riverhead News-Review and to post same on the signboard of the Town Clerk's Office; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Victor Pafundi, Charles W. Bowman of The Land Use Company, the Conservation Advisory Council and the Town Attorney's Office.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

213 ADOPTS RESOLUTION RE: AMENDMENT TO SECTION 108-60 OF THE RIVERHEAD TOWN CODE

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, an amendment to the amendment to Section 108-60 of the Riverhead Town Code was forwarded to the Planning Board for its recommendations; and

WHEREAS, by letter dated February 9, 1989, the Planning Board did forward its recommendation to the Town Board that the amendments are both appropriate and necessary; and

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons regarding the amendment to Section 108-60 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 28th day of February, 1989, at 8:35 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the amendment to Section 108-60 of the Riverhead Town Code be and is hereby adopted as follows:

Section 108-60. Off-street parking.

- L. In the event that an applicant can demonstrate to the Town Board that his present parking needs do not necessitate the construction of the number of parking spaces required hereunder, the Town Board may approve a site plan requiring present construction of a lesser number of parking spaces, for a duration decided by the Town Board and specified in the Town Board's resolution. If the Town Board fails to specify a period, the period shall be two (2) years from the date of site plan approval. In the event that a lesser number of parking spaces are constructed, the site plan shall show sufficient spaces reserved for future parking requirements, with the combined number of parking spaces being not less than that required by this Chapter,

thereby superseding Section 108-76 of this Chapter. The Town Board may order the property owner to install the future parking spaces when the need arises. In the event that the owner fails to install the additional spaces within one hundred twenty (120) days of being so ordered, the Building Inspector shall revoke the Certificate of Occupancy for the premises, and the Town Attorney may take appropriate action in a court of competent jurisdiction to restrain the use of the subject premises. The property owner shall be required to file a covenant indicating his consent to, and understanding of, the provisions of this Subsection.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the **Riverhead News-Review** 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 the Planning Department, Riverhead Planning Board, Riverhead Building Department and the Town Attorney's Office.

Dated: Riverhead, New York
March 21, 1989.

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, Boschetti, yes, Pike yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.
The resolution was thereupon duly declared adopted,

214 ADOPTS AMENDMENT TO ARTICLE II SECTION 103-11(A)(4) and 103-11(B)(6) OF THE RIVERHEAD TOWN CODE

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons regarding the amendment to Article II Section 103-11(A)(4) and 103-11(B)(6) of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 28th day of February, 1989, 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 the amendment to Article II Section 103-11(A)(4) and 103-11(B)(6) of the Riverhead Town Code be and is hereby adopted as follows:

103-11. Usage fees.

A. Residential Vehicles:

(4) Tires:

(a) Tires with a diameter of 16.9 inches or less: fifty cents (\$.50) per tire.

(b) Tires with a diameter of 17 inches or more: one dollar (\$1.00) per tire.

B. Commercial vehicles:

~~(6) Tires, six (6) or more:~~

~~(a) Pickup trucks, vans, carryalls and tow trailers: twenty-five dollars (\$25.) per visit.~~

~~(b) Single rear axle: fifty dollars (\$50.) per visit.~~

- (c) ~~Dual rear axle: seventy-five dollars (\$75.) per visit.~~
- (d) ~~Tractor-trailer: one hundred dollars (\$100.) per visit.~~
- (6) Tires from vehicles owned or operated by commercial establishments:
- (a) Tires from pickup trucks, vans, carryalls and tow trailers: twenty dollars (\$20.) per ton with a minimum charge of twenty dollars (\$20.) per billing period.
- (b) Tires from single rear axle: twenty dollars (\$20.) per ton with a minimum charge of twenty dollars (\$20.) per billing period.
- (c) Tires from dual rear axle: twenty dollars (\$20.) per ton with a minimum charge of twenty dollars (\$20.) per billing period.
- (d) Tires from tractor-trailer units: twenty dollars (\$20.) per ton with a minimum charge of twenty dollars (\$20.) per billing period.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Riverhead News-Review 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 the Riverhead Landfill and the Town Attorney's Office.

Dated: Riverhead, New York
March 21, 1989.

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, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

215 AUTHORIZES SUPERVISOR TO EXECUTE STIPULATION & AGREEMENT

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti :

WHEREAS, certain charges were preferred on November 29, 1988, by Police Chief Lawrence Grattan against a police officer of the Riverhead Police Department; and

WHEREAS, a stipulation and agreement has been proposed between the police officer and the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor and the Town Attorney be and are hereby authorized to execute the stipulation and agreement; 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 and the Town Attorney.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

216 ADOPTS RESOLUTION RE: AMENDMENT TO SECTION 101-11 OF THE RIVERHEAD TOWN CODE

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

WHEREAS, an amendment to the amendment to Section 101-11 of the Riverhead Town Code was forwarded to the Planning Board for its recommendations; and

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons regarding the amendment to Section 101-11 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 28th day of February, 1989, at 8:55 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 Conservation Environmental Law.

NOW, THEREFORE, BE IT

RESOLVED, that the amendment to Section 101-11 of the Riverhead Town Code be and is hereby adopted as follows:

101-11. No parking certain hours.

Street	Side	Hours	Location
North Griffing Avenue and School Street	West <u>East</u>	7:30 a.m. to 3:30 p.m.	Between Pulaski Street and Harrison Avenue
North Griffing Avenue and School Street	<u>East</u> West	7:30 a.m. to 3:30 p.m.	Between Pulaski Street and Harrison Avenue <u>starting</u> 450 feet north of Pulaski Street

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Riverhead News-Review 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 the Highway Department and the Town Attorney's Office.

Dated: Riverhead, New York
March 21, 1989

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, Boschetti, yes, Pike yes, Civiletti, yes,
Lombardi, yes, Janoski, yes,
The resolution was thereupon duly declared adopted.

217 AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE
RE: CHANGE OF ZONE APPLICATION OF LIFE'S EQUITY DEVELOP-
MENT CORP. OF WADING RIVER

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

WHEREAS, by application dated July 26, 1988, Life's Equity Development Corp. of Wading River did apply to this Town Board for a change of zone at premises located at Wading River-Manor Road, Wading River, New York, Suffolk County Tax Map ID #0600-115-1-1.1, from Industrial "A" to Residence "A"; and

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

WHEREAS, by letter dated March 10, 1989, the Planning Board recommended that the special permit of Life's Equity Development Corp. of Wading River be approved.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice once in the Riverhead News-Review:

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 4th day of April, 1989, at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the change of zone application of Life's Equity Development Corp. of Wading River at premises located at Wading River-Manor Road, Wading River, New York, consisting of approximately 71 acres. from Industrial "A" to Residence "A".

Dated: Riverhead, New York
March 21, 1989.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

218 AUTHORIZES CHARLES GRAVES, ESQ. TO ATTEND PERB HEARING

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike:

RESOLVED, that Charles Graves, Esq., be and is hereby authorized to attend the Public Employees' Relations Board hearing with the Town Attorney and Financial Administrator at his rate as filed with the Town Clerk's Office; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Charles Graves, Esq., the Financial Administrator and the Town Attorney.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

219 AUTHORIZES ATTENDANCE OF POLICE OFFICER AT SEMINAR

Councilperson Pike offered the following resolution which was seconded by Councilperson Boschetti.

WHEREAS, the New York State Department of Criminal Justice will be sponsoring a "NYS Instructor Development Course" to be held in Kingston, New York Police Department on April 3-14, 1989; and

WHEREAS, it is the desire of Police Officer Dennis Cavanagh to attend said seminar; and

WHEREAS, it is the recommendation of the Superiors of Police Officer Cavanagh to attend said seminar.

NOW, THEREFORE, BE IT RESOLVED, that Police Officer Cavanagh be and is hereby authorized to attend "NYS Instructor Development Course" to be held at the Kingston, New York Police Department on April 3-14, 1989; and

BE IT FURTHER RESOLVED, that Police Officer Cavanagh receive advance monies in the amount of \$500 for related expenses, said expenses to be fully receipted upon his return; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Police Officer Cavanagh, Lt. Grattan and the Office of Accounting.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

220 ACCEPTS RESIGNATION OF GEORGE WOODSON RE: MEALS ON
WHEELS DRIVER, NUTRITION CENTER

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

WHEREAS, George Woodson did submit his written resignation
from his position of Meals on Wheels Driver with the Riverhead
Nutrition Center.

NOW, THEREFORE, BE IT RESOLVED, that the resignation of
George Woodson be and is hereby accepted effective March 24,
1989; and

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

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

**RESOLUTION # 221 AUTHORIZING THE TOWN CLERK TO PUBLISH
AND POST NOTICE OF SECOND PUBLIC HEARING.**

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

WHEREAS, the Town of Riverhead is preparing an application for Community Development Block Grant funds for submission to the U.S. Department of Housing and Urban Development on or before April 17, 1989; and

WHEREAS, a public hearing was held on March 21, 1989 to obtain public comments on the development of said application; and

WHEREAS, a second public hearing is scheduled for April 4, 1989 to allow for public comment on proposed activities;

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead authorize the Town Clerk to publish the attached notice of public hearing as a legal advertisement in the News Review on March 23, 1989 and in the Traveler Watchman;

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.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was therupon duly declared adopted.

TOWN OF RIVERHEAD
NOTICE OF SECOND PUBLIC HEARING
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Please take notice, that a public hearing will be held on the 4th day of April, 1989 at 8:15 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the submission of the Town of Riverhead's Community Development Block Grant Application for fiscal year 1989.

The Small Cities Program provides grants to local units of government to undertake eligible community development activities which meet the national objectives of the Program.

The Town of Riverhead proposes the following activities for the 1989 grant. These activities will provide benefit to low and moderate income persons and aid in the elimination or prevention of slum and blight.

Affordable Housing
Commercial Demolition
Administration

Of the total grant to be requested, an estimated \$350,000 will be used for activities that will benefit low and moderate income persons.

Pursuant to Section 104(d) of the Housing and Community Development Act of 1974, as Amended, the Town of Riverhead has identified steps it will take to minimize displacement of persons from their homes and neighborhoods and to provide relocation assistance when displacement necessarily occurs in conjunction with its Community Development Block Grant acquisition, rehabilitation, or demolition activities. In the event displacement is unavoidable, the Town has developed a contingency strategy plan which requires replacement of all occupied and vacant but occupiable low/moderate income dwellings demolished or converted to another use.

Relocation assistance to households involuntarily and permanently displaced by the demolition or conversion of housing is provided in the form of actual reasonable moving expenses or a fixed allowance for moving, advisory services, reimbursement for reasonable and necessary security deposit and credit checks, and replacement housing assistance.

This public hearing is to inform citizens of those activities which the Town has determined, after consideration of public comments, best meet the needs of low and moderate income persons, aid in the elimination or prevention of slum and blight or meet another national objective. Further information concerning the Small Cities Program can be obtained at the:

TOWN OF RIVERHEAD
Community Development Agency
200 Howell Avenue
Riverhead, NY 11901
(516) 727-3200 X287

The Riverhead Community Development Agency urges the citizens of the Town of Riverhead and all other interested parties to participate in this important hearing. The meeting room in which the hearing will be held is accessible to the handicapped.

Dated: March 21, 1989

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

IRENE J. PENDZICK, TOWN CLERK

222 AWARDS BID FOR DATA GRAPHICS PROJECTOR

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for data graphics projector; and

WHEREAS, bids were received and read aloud on the 30th of November, 1989, 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; and

WHEREAS, a total of one (1) bid was received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for data graphics projector be and is hereby awarded to Maya Video Products, Inc. in the amount of eleven thousand four hundred ninety and 00/100 (\$11,490.00) dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Maya Video Products, Inc. and the Accounting Department.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes. Janoski, yes.

The resolution was thereupon duly declared adopted.

223 AWARDS BID FOR SOUND LEVEL METER EQUIPMENT

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike :

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for sound level meter equipment; and

WHEREAS, bids were received and read aloud on the 14th of March, 1989, at 11:05 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

WHEREAS, a total of one (1) bid was received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for sound level meter equipment be and is hereby awarded to Bruel & Kjaer Instruments, Inc. in the amount of twelve thousand six hundred seven and 59/100 (\$12,607.59) dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Bruel & Kjaer Instruments, Inc. and the Police Department.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

224 AWARDS BID FOR HAZARDOUS WASTE STORAGE CONTAINMENT FACILITY

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike :

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for hazardous waste storage containment facility; and

WHEREAS, bids were received and read aloud on the 14th of March, 1989, 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; and

WHEREAS, a total of one (1) bid was received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for hazardous waste storage containment facility be and is hereby awarded to Safety Storage, Inc. in the amount of sixteen thousand four hundred sixty-four and 00/100 (\$16,464.00) dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Safety Storage, Inc. and the Riverhead Landfill.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

225 ESTABLISHES PROPOSED TOWN OF RIVERHEAD BOUNDARIES FOR PECONIC RIVER PROGRAM

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti.

WHEREAS, the Riverhead Town Board is in receipt of proposed boundaries for the regulation of the Peconic River under the Wild, Scenic and Recreational Rivers Program, NYCRR Part 666 and

WHEREAS, it is the judgment of the Riverhead Town Board that the regulation of certain lands within the proposed boundary will cause the institutionalization of existing under-utilized land uses and preclude the development of vacant industrial land, without providing any benefit to the River resource, and

WHEREAS, the Riverhead Town Board has caused the drawing of an alternative boundary which protects the rivershed, while providing for the redevelopment of under-utilized properties and the development of vacant lands served by or proximate to existing infrastructure;

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board present the following Peconic River boundaries to the New York State Department of Environmental Conservation for their consideration and review;

Beginning at a point on the south side of New York State Route 25 right of way intersecting with the Suffolk County right of way for Nugent Drive and proceeding in a westerly direction along the south side of the State right of way for a distance of 1,800+ feet and thence proceeding in a northwesterly direction along the eastern property line of Parcel Nos. 125-2-7 and 125-2-8.1 and thence proceeding in a generally northerly direction to property owned by the Metropolitan Transportation Authority and thence along the southern boundary of property owned by the Metropolitan Transportation Authority and the northerly line of Parcel No. 125-2-8.1 West approximately 510 feet to the boundary line of Parcel No. 125-2-8.4 and running thence West approximately 190 feet to the easterly boundary line of Parcel No. 125-2-8.2 and running along the northerly boundary line of Parcel No. 125-2-8.2 approximately 320+ feet West to a point and running thence along the westerly line of Parcel No. 125-2-8.2 South approximately 906+ feet to the northern property line of Parcel No. 125-2-16 and thence proceeding in an easterly direction approximately 440 feet along the northern property line of Parcel Nos. 125-2-16, 15, 14, 13, 12, 11, 10.1 and 8.3 and thence along the eastern property line of Parcel No. 125-2-8.3 to said property

line's intersection with State Route 25, and thence in the same direction across State Route 25 to the southern property line and thence proceeding in a generally westerly direction along the south side of Route 25 approximately 10,800 feet to the intersection with the Department of Environmental Conservation boundary as proposed.

and be it further

RESOLVED, that the Planning Department be directed to prepare a report to accompany the proposed boundary which shall fully describe the land use and development constraints caused by the proposed Department of Environmental Conservation boundary and shall identify the ways in which the alternative boundary proposed by the Town of Riverhead supports the intent of the Act (ECL Article 15 Title 27) while providing for both the development and redevelopment of appropriate areas.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes,
The resolution was thereupon duly declared adopted.

226 ADOPTS AMENDMENTS TO WADING RIVER BUSINESS "CR" ZONING USE DISTRICT

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

WHEREAS, the Town Board of the Town of Riverhead caused to be prepared a Wading River Hamlet Study; and

WHEREAS, in December, 1988, the Wading River Hamlet Study was submitted to the Town Board by Buckhurst, Fish, Hutton and Katz, Inc.; and

WHEREAS, the Town Board wishes to implement the recommendations of the Wading River Hamlet Study to the Business "CR" zoning use district; and

WHEREAS, the Riverhead Town Board referred the Wading Hamlet Study to the Riverhead Planning Board for its review and recommendations; and

WHEREAS, the Riverhead Planning Board resolved to endorse the Wading River Hamlet Study as an amendment to the Town of Riverhead Master Plan and forwarded specific recommendations to the Riverhead Town Board; and

WHEREAS, the Riverhead Town Board, according to the requirements of the Suffolk County Chapter, did refer the Wading River Hamlet Study amending the ordinances and map to the Suffolk County Planning Commission, which approved said study and amendments to the ordinances; and

WHEREAS, the Town Clerk was authorized to publish and post a public notice scheduling a public hearing to hear all interested persons regarding development standards in Section 108-110.4 through Section 108-110.7 of the Riverhead Town Code; and

WHEREAS, on February 9, 1989, a public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on February 16, 1989, another public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on March 1, 1989, a public hearing was held at 7:00 o'clock p.m. at the Wading River Elementary School, Wading River, New York, on the date and at the time and place specified in said public hearing, 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 issued a negative declaration regarding the amendments to the Riverhead Town Code and Zoning Use District Map, and that this amendment will not have a significant impact upon the environment pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that the amendments to Section 108-110.4 through 108-110.7 of the Riverhead Town Code as attached hereto be and are hereby adopted; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached amendments once in the Riverhead News-Review 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 the Suffolk County Planning Commission, Suffolk County Pine Barrens Review Commission, Town Board, Riverhead Planning Board, all adjoining towns and Town Attorney.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

(See pages 215-214 of the 1989 Minute for comments prior to the vote).

AMENDMENTS TO CR

The following development standards sections 108-110.4 through 108-110.7 inclusive shall apply to all CR Development under this section within the Wading River Hamlet only.

108-110.4 Development Standards

A. Lot Area: The minimum lot area shall be eighty thousand (80,000) square feet.

B. Lot Width: The minimum lot width (frontage) shall be two hundred (200) feet.

C. Building Area: The maximum building area shall be twenty percent (20%).

D. Yards

(1) Front: The minimum front yard shall be thirty (30) feet for buildings and structures. No parking shall be located within forty (40) feet of the front street line.

(2) Side: There shall be no side yard requirement.

(3) Rear: The minimum rear yard shall be ten (10) feet.

E. Height: The maximum height of buildings and structures shall be thirty five (35) feet.

F. Parking: Parking to be provided is one (1) space per two hundred fifty (250) square feet of building.

108-110.5 Landscaping, Screening and Buffering

A. Screening and Buffering: The screening and buffering requirements of 108-64.1 shall not apply in the Business CR District.

B. Preservation of Existing Vegetation: Site plans for the development of property located in a Business CR District shall include an indication of existing mature trees and other instances of unique, indigenous and/or significant vegetation, or other natural features, so as to ensure their preservation and thereby retain an open space environment which enhances the character of the town.

C. Front Yard: The following front yard requirements do not apply to frontages on the service road:

(1) The required front yard shall provide an informally landscaped buffer to a depth of twenty-four (24) feet from the front street line.

(2) Large canopy trees, which will obtain a mature height of sixty to eighty (60-80) feet, shall be located informally within the landscaped buffer.

(3) Large canopy trees, which will obtain a mature height of sixty to eighty (60-80) feet, shall be grouped with smaller species which will obtain a mature height of ten to thirty (10-30) feet in denser configurations, when the front yard setback adjoins a parking area.

(4) The intensity of landscaping shall modulate between denser vegetation screening parking areas, and open vegetation providing visibility of buildings and structures.

D. Parking Areas

(1) The visual impact of parking areas shall be softened by screening of all parking areas from street view, by interrupting continuous rows of parking spaces with planting, and by creating planted canopies over parking areas.

(2) Parking areas of fifteen (15) spaces or more shall be provided internal landscaping covering

not less than ten percent (10%) of the total area of the parking area.

(3) Landscaping shall be reasonably dispersed throughout the parking area. Primary landscape materials shall be shade trees. Secondary materials may include shrubs and ground cover which shall compliment the tree planting.

E. Rear Yard Screen: A continuous screen of plantings shall be evergreen shrubs which will attain and shall be maintained to a height of not less than eight feet and shall be provided within the rear yard along the lot boundary.

F. Service and Access Road Landscaping: A continuous landscaped area of a minimum of four (4) feet in width shall be provided along all service and access roads within the property.

108-110.6 Access and Circulation

A. Service Road: Where applicable, properties shall provide a fifty (50) foot easement for the construction of a service access road as indicated on the Town Official Map. The easement should include a four foot pedestrian walk on at least one side. Such easement shall be located between one hundred fifty (150) and three hundred fifty (350) feet from the front building line.

B. Cross Easements: Where no service road is indicated on the Town Zoning map, cross easements shall be provided between adjoining properties.

C. Access Easements: Access shall be provided whenever possible through shared easements along the property lines between adjoining properties the location and configuration of these easements are subject to site plan review and planning board review.

D. Curb Cuts: Curb cuts shall be limited in number to one (1) curb cut per two hundred (200) feet of road frontage. For properties with less than two hundred (200) feet of road frontage access shall be pro-

vided from adjoining lots or from the service road provided according to the provisions of A. above.

E. Pedestrian Walk: A pedestrian walk shall be provided in the front yard setback along a main public street, a minimum of six (6) feet in width not closer than eighteen (18) feet from the front street line. The pedestrian walk so provided shall be of uniform color, material, and finish throughout the setback area.

108-110.7 Signage

All signs should be carefully integrated with the site, building design and surrounding context to create a harmonious appearance for the Wading River commercial area. The following principles should guide the design of signage:

- 1) Signs should be located for safety so as not to block driveway views of on-coming traffic.
- 2) Signage types may include free-standing single poles with hanging signs, double poles with attached signs or wall signs.
- 3) Recommended materials for sign posts are wood or black metal. Signage should be of wood or a non-reflective metal material.
- 4) Signage illumination should be limited to projected light onto the sign. This illumination source should be fully shielded.
- 5) One sign is permitted for properties with 250 feet or less street frontage. One additional sign is permitted for properties with over 250 feet street frontage. Properties with more than one commercial establishment should consolidate their signs into a single common freestanding sign panel.
- 6) Maximum size and dimensions for free standing signs:
 - 25 square feet limit per face
 - 10 feet height limit (preferable 8 foot)
- 7) Maximum size location and dimensions for commercial wall signs:
 - Total area of all signs on a building elevation shall not exceed 10% of the elevation's area.

- Location limited to fascia band above the store window; on vertical fascia of any sunscreen or awning; and on the window of the store.

- Signage should be combined with light posts whenever possible.

8) Prohibited items shall include:

~~product advertisement outside of~~ any retail space; signs mounted above the roof line of any structure; internally-illuminated plastic signage; and signs placed in or attached to windows.

227 APPOINTS PIERRE LUNDBERG SPECIAL COUNSEL HUGHES V. TOWN
OF RIVERHEAD

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

RESOLVED, that Pierre Lundberg, Esq. be and is hereby
appointed as Special Counsel to the Town of Riverhead in the
action of Hughes v. Town of Riverhead, et al, (Index No. 89-
4552), at an hourly rate as filed with the Town Clerk; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby
authorized to forward a certified copy of this resolution to
Pierre Lundberg, Esq.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

228 APPOINTS INTERN TO OFFICE OF THE TOWN CLERK

Councilperson Boschetti offered the following resolution which was seconded by Councilperson Pike.

RESOLVED, that Sally Stelzer be and is hereby appointed as an intern in the Office of the Town Clerk from March 20, 1989 through March 23, 1989 at the hourly rate of compensation of \$6.00.

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

The vote, Boschetti, yes, Pike, yes, Civiletti, yes
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

229 APPOINTS EDWARD REYER PART-TIME DETENTION ATTENDANT

Councilperson Pike offered the following resolution which was seconded by Councilperson Boschetti.

RESOLVED, that Edward Reyer be and is hereby appointed to the position of Part-time Detention Attendant with the Town of Riverhead Police Department at the hourly rate of compensation of \$10.00 effective immediately.

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

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

230 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD
RE: DRIVER/DELIVERER "MEALS ON WHEELS"

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

WHEREAS, a vacancy presently exists in the position of Driver with the "Meals on Wheels" Program.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post Help Wanted Ad in the March 23, 1989 issue of the Riverhead News Review.

HELP WANTED AD

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve in the part-time position of Driver/Deliverer with the Town of Riverhead "Meals on Wheels" Program. Applicants must possess a valid New York State Driver's License and must be at least 18 years of age. Interested individuals must submit an application to the Accounting Department, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications for this position shall be accepted after March 30, 1989. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age and handicapped status in employment or the provision of services.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

231 RESOLUTION CALLING PUBLIC HEARING OF CRYSTAL PINE ESTATES FOR A DRY LATERAL WATER MAIN

Councilman Lombardi offered the following resolution which was seconded by Councilman Civiletti,

WHEREAS, a petition has been filed by the owners of Crystal Pine Estates subdivision for the installation of a dry lateral water main of the Riverhead Water District to serve their realty subdivision known as Crystal Pine Estates, and

WHEREAS, a map and plan has been proposed by H2M, consulting engineers to the Riverhead Water District, and

WHEREAS, the extension comprises thirty four (34) single family building lots located on the Main Road in Aquebogue, New York, and

WHEREAS, the map and plan is available for review and inspection at the Office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, during normal business hours, and

WHEREAS, said map and plan calls for the installation of 3,950 feet of six, eight, and twelve inch water mains and appurtenances with hydrants along with 37 services for single family dwellings at a total cost of \$143,000, and

WHEREAS, all costs associated with this dry lateral shall be borne by the petitioner and the petitioner will be required to pay key money in the amount of \$2,500 for each proposed dwelling unit for a total cost of \$85,000. This cost represents the infrastructure costs to the Riverhead Water District to service these additional residences, and

WHEREAS, the Town Board desires to call a public hearing to consider the aforementioned petition,

NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and is hereby authorized to publish and post a Notice of Public Hearing to be held on the 4th day of April, 1989, at 8:25 P.M. to hear all interested persons with regard to the petition of Crystal Pine Estates to construct a dry lateral water main in the realty subdivision known as Crystal Pine Estates and that such notice be published in the March 23rd issue of The News Review, and it is further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to H2M, Pierre Lundberg, Esq., and the applicant.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes. The resolution was thereupon duly declared adopted.

232 ORDER ESTABLISHING GREGORY PLACE LATERAL WATER MAIN

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike,

WHEREAS, petition has been made by the owners of the realty abutting Gregory Place in Riverhead for the construction of a lateral water main and appurtenances to serve their area, and

WHEREAS, the Riverhead Town Board, as governing body of the Riverhead Water District, caused a report to be made by H2M, consulting engineers to the Riverhead Water District, and

WHEREAS, Gregory Place is within the Riverhead Water District with existing houses which have paid the District-wide tax as more particularly detailed in the engineering report, and

WHEREAS, the Town Board called a public hearing for January 17, 1989, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Petition is duly filed with the Town Clerk, and it is further

RESOLVED, that the Town Board, upon the proceeding and record of the hearing had herein, determines that the installation of the lateral water main in the bed of Gregory Place is in the best interest of the district and will benefit the property to be served, and it is further

RESOLVED, that the installation of a lateral water main, hydrants, and appurtenances at a cost not to exceed \$71,000, including 1,250 linear feet of eight inch diameter water mains and appurtenances is approved, and it is further

RESOLVED, that the Town Clerk forward a certified copy of the resolution to Pierre Lundberg, Esq., H2M, Superintendent Gary Pendzick, and the petitioners.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution thereupon was duly declared adopted.

233 ORDER ESTABLISHING SUN UP LATERAL WATER MAIN

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike,

WHEREAS, application has been made by the owners of the realty subdivision known as "Sun Up" in South Aquebogue for the construction of a lateral water main and appurtenances to serve the subdivision, and

WHEREAS, the Riverhead Town Board, as governing body of the Riverhead Water District, caused a report to be made by H2M, consulting engineers to the Riverhead Water District, and

WHEREAS, said lateral is to be constructed at the sole expense of the applicant with no portion thereof to be borne by the district as a whole, and

WHEREAS, the applicant shall pay key money in the total amount of \$92,500 as described below, and

WHEREAS, the Town Board called a public hearing for February 28, 1989, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the installation of the lateral water main within the realty subdivision known as "Sun Up" is in the best interest of the district and will benefit the property to be served, and it is further

RESOLVED, that the installation of a lateral water main, hydrants, and appurtenances at a cost not to exceed \$99,000, including 6 and 8 inch diameter water mains and appurtenances is approved subject to the following conditions:

1. The owner grants a permanent, unobstructed subsurface easement for the installation and maintenance of lateral water mains and appurtenances within the streets of the proposed Sun Up realty subdivision;

2. The owner has posted a bond covering the estimated cost of construction in the amount of \$99,000;

3. Key money to be posted by cash or bond in the amount of \$92,500. If said amount is bonded, key money shall be payable at \$2,500 for each certificate of occupancy as issued by

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

234 ORDER ESTABLISHING MANOR LANE ESTATES LATERAL WATER MAIN

Councilman Lombardi offered the following resolution which was seconded by Councilman Civiletti,

WHEREAS, application has been made by the owners of the realty subdivision known as "Manor Lane Estates" in Jamesport for the construction of a lateral water main and appurtenances to serve the subdivision, and

WHEREAS, the Riverhead Town Board, as governing body of the Riverhead Water District, caused a report to be made by H2M, consulting engineers to the Riverhead Water District, and

WHEREAS, said lateral is to be constructed at the sole expense of the applicant with no portion thereof to be borne by the district as a whole, and

WHEREAS, the applicant shall pay key money in the total amount of \$25,000 as described below, and

WHEREAS, the Town Board called a public hearing for February 28, 1989, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the installation of the lateral water main within the realty subdivision known as "Manor Lane Estates" is in the best interest of the district and will benefit the property to be served, and it is further

RESOLVED, that the installation of a lateral water main, hydrants, and appurtenances at a cost not to exceed \$34,000, including 6 and 8 inch diameter water mains and appurtenances is approved subject to the following conditions:

1. The owner grants a permanent, unobstructed subsurface easement for the installation and maintenance of lateral water mains and appurtenances within the streets of the proposed Manor Lane Estates.

2. The owner has posted a bond or letter of credit covering the cost of construction in the amount of \$34,000;

3. Key money to be posted by cash or bond in the amount of \$25,000. If said amount is bonded, key money shall be payable at \$2,500 for each certificate of occupancy as issued by

the Riverhead Building Department. The balance of all key money due shall be owed after the passage of two years from the date of this resolution. Upon the completion of these conditions, the Water District shall proceed to let public bids and cause the construction of the proposed water lateral main,

and it is further

RESOLVED, that the Town Clerk forward a certified copy of the resolution to Pierre Lundberg, Esq., H2M, Superintendent Gary Pendzick, and the applicant.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

235 AWARDS BID FOR INSTALLATION OF WATER MAINS AND APPURTENANCES FOR EXTENSION 28 (SEAWATCH)

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti :

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for installation of water mains and appurtenances for Extention 28 to the Riverhead Water District, known as Seawatch; and

WHEREAS, bids were received and read aloud on the 16th of March, 1989, 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; and

WHEREAS, a total of seven (7) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for installation of water mains and appurtenances for Extention 28 to the Riverhead Water District, known as Seawatch be and is hereby awarded to Grimes Contracting Co., Inc. in an amount not to exceed four hundred fifty-eight thousand two hundred five and 00/100 (\$458,205.00) dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Grimes Contracting Co., Inc., Pierre G. Lundberg, Esq., Vincent DeCanio, Allen M. Smith, Esq. and the Riverhead Water District.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

236 AUTHORIZES TOWN CLERK TO REPUBLISH & REPOST PUBLIC NOTICE
RE: AMENDMENT TO CHAPTER 48 OF THE RIVERHEAD TOWN CODE

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

WHEREAS, a public hearing was held on the 7th day of February, 1989, at 8:15 o'clock p.m. to hear all interested persons with regard to certain amendments to Chapter 48 of the Riverhead Town Code; and

WHEREAS, all persons wishing to be heard were heard; and

WHEREAS, as a result of said public hearing and public comment made by persons heard at said hearing, certain changes were proposed to Chapter 48 of the Riverhead Town Code which would require another public hearing to be held.

NOW, THEREFORE, BE IT

RESOLVED, that as a result of the public hearing and the comments made by persons heard at said hearing, the Town Clerk be and is hereby authorized to republish and repost the following public notice with regard to amendments to various sections of Chapter 48 of the Riverhead Town Code:

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 4th day of April, 1989, at 8:05 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amendments to various sections of Chapter 48 of the Riverhead Town Code as follows:

Section 48-1. Definitions.

BEACH: Both the Sound Beach and the Peconic Bay Beach.

SOUND BEACH - All that area in or adjacent to the Town of Riverhead along the shore of the Long Island Sound lying between the mean high-water mark as a southerly boundary and the low-water mark as the northerly boundary.

PECONIC BAY BEACH - All that area in or adjacent to the Town of Riverhead along the shore of the Peconic Bay lying between the mean high-water mark as a southerly boundary and the low-water mark as the northerly boundary.

- (3) Make, model and year of the vehicle for which the permit is sought and the current registration number and state of registration of said motor vehicle.
- (4) Name of automobile liability insurance company, policy number and expiration date of policy.
- (5) Whether a previously issued permit hereunder has ever been suspended or revoked, and if so, the circumstances thereof.

C. ~~B.~~

The operation of trikes, motorbikes, minibikes or any other two-, three- or four-wheeled fuel-powered vehicle and all terrain vehicles (ATV's) as defined in Article 48-B of the Vehicle and Traffic Law shall be prohibited on any beach within the Town of Riverhead.

Section 48-8. Display of permit.

The permit required hereunder shall be permanently affixed and prominently displayed on ~~to~~ the vehicle for which the permit was issued by being affixed on any driver's side window. ~~at all times and shall be displayed upon request to any peace officer or official of the State of New York, County of Suffolk or Town of Riverhead.~~

Section 48-10. Littering prohibited.

- A. No person shall throw, deposit or abandon litter on any beach, dune or adjacent property or waters along the Peconic River Sound Beach or the Peconic Bay Beach or any creek, inlet, pond or river, whether public or private or whether owned or not owned by such person.

Section 48-16. Fires.

~~No fire started or maintained on the beach area shall be left unattended, and all fires shall be completely extinguished before the person maintaining such leaves the beach area.~~ shall be permitted on any public beach without a permit from the Recreation Department other than a fire which is contained in a barbeque grill which is no bigger than two feet by three feet (2' x 3').

Dated: Riverhead, New York
March 21, 1989.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

Section 48-2. Restrictions on hours and dates of motor vehicle operation.

No motor vehicle may be operated upon the beach between ~~June 15~~ May 15 and September 15, both inclusive, in each year except between the hours of 7:00 p.m. and ~~10:00~~ 9:00 a.m., except as herein provided.

Section 48-3. Operation of motor vehicles restricted.

- E. No motor vehicles may be operated on the shores of the Peconic Bay Beaches at any time.

Section 48-7. Application for permit; fee.

- A. The Superintendent of Recreation Department is hereby authorized to issue a permit for the use of the operation of a motor vehicle on the Sound beach to qualified residents, tenants or taxpayers of the Town of Riverhead upon due annual application at no cost to such persons. Said annual permit shall run from January 1 through December 31 of each year. upon showing the following proof of residency:

- (1) Resident beach parking permit pursuant to Section 48-13(B)(1); or
- (2) A valid tax receipt stub for the current year for any taxable real property within the Town of Riverhead assessed in the name of the applicant; or
- (3) A valid New York State motor vehicle registration license in the name of the applicant and with an address located within the Town of Riverhead. A post office box address is not acceptable proof of residency; or
- (4) Such other proof of residency as is satisfactory to the Riverhead Recreation Department.

- B. Permits shall be issued at no cost and shall run from January 1 through December 31 of each year. The applicant shall furnish the following information:

- (1) Name of applicant and address of the applicant's dwelling or residence.
- (2) Applicant's driver's license number, date of issuance, date of expiration and state of motor vehicle bureau issuing such license.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes. The resolution was thereupon duly declared adopted.

#237 APPROVES SITE PLAN OF LONG ISLAND LIGHTING COMPANY

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

WHEREAS, a site plan and elevations were submitted by Maurice P. Fitzgerald, as agent for the Long Island Lighting Company for a one thousand six hundred twenty (1,620) square feet addition of office space on the north side of an existing office building located at the utility's Riverhead Operations Center, 600 Doctors Path, Riverhead, New York, 11901, New York; and

WHEREAS, the Planning Department has reviewed the site plan dated April 22, 1969, most recently revised September 20, 1988, as prepared by Long Island Lighting Company Office of Engineering, 175 East Old Country Road, Hicksville, NY 11801, and elevations dated August 22, 1988, most recently revised October 3, 1988, as prepared by Long Island Lighting Company Office of Engineering, 175 East Old Country Road, Hicksville, NY 11801, 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 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.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Maurice P. Fitzgerald, as agent for the Long Island Lighting Company, for a one thousand six hundred twenty (1,620) square feet addition of office space on the north side of an existing office building, located at the utility's Riverhead Operations Center, 600 Doctors Path, Riverhead, New York, 11901, New York, site plan dated April 22, 1969, most recently revised September 20, 1988, as prepared by Long Island Lighting Company Office of Engineering, 175 East Old Country Road, Hicksville, NY 11801, and elevations dated August 22, 1988, most recently revised October 3, 1988, as prepared by Long Island Lighting Company Office of Engineering, 175 East Old Country Road, Hicksville, NY 11801, 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;
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 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, MAURICE P. FITZGERALD, as agent for the Long Island Lighting Company hereby authorizes the Town of Riverhead to enter premises at the Utility's Riverhead Operations Center, 600 Doctors Path, Riverhead, New York, 11901, 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 the existing plant material screening the east (front) elevation NOT BE removed or, if removed, that it be replaced in kind (both species and size as currently exist); and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Maurice P. Fitzgerald, as agent for the Long Island Lighting Company, the Riverhead Planning Department and the Riverhead Building Department.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, made by MAURICE P. FITZGERALD, as agent for the Long Island Lighting Company, residing at the Utility's Riverhead Operations Center, 600 Doctors path, Riverhead, New York, 11901, Declarant.

W I T N E S S E T H:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with;
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 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.

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

MAURICE P. FITZGERALD, as agent for the Long Island Lighting Company

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

On the ___ day of , before me personally came MAURICE P. FITZGERALD, as agent for the Long Island Lighting Company, to me known and known to be the individual who executed the foregoing instrument; that he is the owner of certain real property located at the Utility's Riverhead Operations Center, 600 Doctors Path, Riverhead, New York, 11901, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC
The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes. The resolution was thereupon duly declared adopted.

238 APPROVES SITE PLAN OF THE GRIFFING BUILDING (VICTOR BALABANOW)

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, a site plan and elevations were submitted by Victor Balabanow for renovation of an existing structure for retail and office use located at 74-80 West Main Street (corner of West Main Street and Griffing Avenue, Riverhead, NY, known and designated as Suffolk County Tax Map Number 0600-128-06-16; and

WHEREAS, the Planning Department has reviewed the site plan dated April 15, 1988, most recently revised April 20, 1988, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, NY 11901, and elevations dated February 28, 1989, (front elevation) and October 14, 1988 (rear elevation), as prepared by Jerold L. Axelrod, R.A., P.C., 2500 New York Avenue, Melville, NY 11747, 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

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 Victor Balabanow, for the renovation of an existing structure for retail and office use, located at 74-80 West Main Street (corner of West Main Street and Griffing Avenue), Riverhead, New York, 11901, site plan dated April 15, 1988, most recently revised April 20, 1988, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, NY 11901, and elevations dated February 28, 1989, (front elevation) and October 14, 1988 (rear elevation), as prepared by Jerold L. Axelrod, R.A., P.C., 2500 New York Avenue, Melville, NY 11747, be and are hereby approved as amended in-house 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 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 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, VICTOR BALABANOW hereby authorizes the Town of Riverhead to enter premises at 74-80 West Main Street (corner of West Main Street and Griffing Avenue, Riverhead, New York, 11901 (Suffolk County Tax Map Number 0600-128-06-16), 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, with the exception of the redesigned entry at the northern side of Griffing Avenue, the existing door and window openings shall be maintained, and doors and window units sized accordingly, to retain the integrity of the facade;

12. That the muntins proposed on the second floor proposed on the second floor windows only shall be removed, and said second floor windows shall be double-hung with the full glass.

13. That all panels shown as white aluminum on the front elevation drawing referenced herein, both above and below the ground-floor windows, shall be changed to wood raised panels with painted finish;

14. That the sidewalks shall be enclosed in such a fashion that, during construction, pedestrians shall be protected from the hazard of falling debris and construction material, and that the applicant shall be responsible for obtaining any permission which may be necessary for the location of such an enclosure;

15. That no waste disposal containers shall be placed on West Main Street or Griffing Avenue;

16. That any damage or destruction to any sidewalk resulting from the work approved herein shall result in the replacement of said sidewalk at the expense of the applicant and in a manner as prescribed by the Town of Riverhead Road and Drainage Standards; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Victor Balabanow, Jerold L. Axelrod, the Riverhead Planning Department, the Riverhead Building Department, and the Office of the Town Attorney.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, made by VICTOR BALABANOW, residing at 74-80 West Main Street (corner of West Main Street and Griffing Avenue, Riverhead, New York, 11901, Declarant.

W I T N E S S E T H:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

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

239 ADOPTS AMENDMENTS TO RIVERHEAD TOWN CODE AND ZONING USE DISTRICT MAP (BUSINESS "CR" TO MULTI-FAMILY RESIDENTIAL/PROFESSIONAL OFFICE - WADING RIVER)

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

WHEREAS, the Town Board of the Town of Riverhead caused to be prepared a Wading River Hamlet Study; and

WHEREAS, in December, 1988, the Wading River Hamlet Study was submitted to the Town Board by Buckhurst, Fish, Hutton and Katz, Inc.; and

WHEREAS, the Town Board wishes to implement the recommendations of the Wading River Hamlet Study to the Business "CR" zoning use district; and

WHEREAS, the Riverhead Town Board referred the Wading Hamlet Study to the Riverhead Planning Board for its review and recommendations; and

WHEREAS, the Riverhead Planning Board resolved to endorse the Wading River Hamlet Study as an amendment to the Town of Riverhead Master Plan and forwarded specific recommendations to the Riverhead Town Board; and

WHEREAS, the Riverhead Town Board, according to the requirements of the Suffolk County Charter, did refer the Wading River Hamlet Study amending the ordinances and map to the Suffolk County Planning Commission, which approved said study and amendments to the ordinances; and

WHEREAS, the Town Clerk was authorized to publish and post a public notice scheduling a public hearing to hear all interested persons regarding development standards in Section 108-167 through Section 108-174 of the Riverhead Town Code and amendments to the Town of Riverhead Zoning Use District Map; and

WHEREAS, on February 9, 1989, a public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on February 16, 1989, another public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on March 1, 1989, a public hearing was held at 7:00 o'clock p.m. at the Wading River Elementary School, Wading River, New York, on the date and at the time and place specified in said public hearing, 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 issued a negative declaration regarding the amendments to the Riverhead Town Code and Zoning Use District Map, and that this amendment will not have a significant impact upon the environment pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that the amendments to Section 108-167 through Section 108-174 of the Riverhead Town Code and the Town of Riverhead Zoning Use District Map be and are hereby adopted as attached hereto, which amendments in particular incorporate the Highway Commercial/Service Zone into the Riverhead Town Code and those areas presently zoned Business "CR" to Highway Commercial/Service on the Town of Riverhead Zoning Use District Map; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached amendments once in the Riverhead News-Review 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 the Suffolk County Planning Commission, Suffolk County Pine Barrens Review Commission, Town Board, Riverhead Planning Board, all adjoining towns and Town Attorney.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

**MULTI-FAMILY RESIDENTIAL/
PROFESSIONAL OFFICE ZONE**

108-167 Purpose

The purpose of this Article are to provide for multi-family residences and professional office activities adjacent to neighborhood commercial areas; to respect and preserve the existing rural and woodland character of hamlets; and to provide for coordinated site design which unifies individual developments, thereby allowing convenient and safe vehicular circulation and promoting high quality design of developments which complements the scale and hamlet character of these areas.

108-168 Zoning Use Classification

The zoning use classification known as Residence E District shown on the attached amendment to the Zoning Use Classification Map is hereby adopted.

108-169 Uses

In the Residence E District, no building, structure, or premises shall be used, arranged or designed to be used, and no building or structure shall hereafter be erected, reconstructed or altered, unless otherwise provided in this chapter, except for either one of the following permitted uses and their customary accessory uses.

A. Permitted Uses

(1) Multi-family residential condominiums served by a community water system of Health Services.

(2) Day care centers of nursery schools as defined by social services law.

(3) Professional offices of:

(a) Accountants

Architects

Artists

Attorneys

Audiologists

Bookkeepers

Chiropractors

Dentists

Engineers

Income tax preparers

Insurance agents or brokers

Interior designers

Journalists

Medical doctors

Optometrists

Osteopaths

Podiatrists

(b) Person or persons determined by the Town Board to be engaged in a profession similar to those set forth above.

B. Accessory Uses: Those uses customarily incidental to any of the above permitted uses when located on the same lot and not involving the conduct of a business.

108-170. Development Standards

A. Lot Area: The minimum lot area shall be one hundred and sixty thousand (160,000) square feet.

B. Lot Width: The minimum lot width (frontage) shall be four hundred (400) feet.

C. Yards

(1) **Front:** The minimum front yard shall be fifty (50) feet. No building, structure or parking shall be located in the front yard so provided.

(2) **Side:** The minimum side yard shall be twenty-five (25) feet.

(3) **Rear:** The minimum rear yard shall be fifty (50) feet, except that the minimum rear yard shall be twenty-five (25) feet when adjacent to a property within a Residence E zoning district.

D. Building Area

(1) The maximum building area for professional office uses shall be seventeen percent (17%).

(2) The number of dwelling units permitted for residential uses shall be based on the number of bedrooms per dwelling unit and the type of community water and sewage system provided, which number shall be incorporated as a filed restriction in all deeds and titles related to the condominium site as follows:

(a) One bedroom dwelling units
- 4.0/acre

(b) Two-bedroom dwelling units
- 3.0/acre

E. Height: The maximum height of buildings and structures shall be thirty-five (35) feet.

108-121. Landscaping, Screening and Buffering

A. Screening and Buffering shall meet the minimum requirements of 108-64.1 of this chapter.

B. Yard Landscaping: Within all required yards the existing vegetation shall be retained. Any proposals for disturbance shall be subject to site plan approval and architectural review board recommendation.

C. Preservation of Existing Vegetation: Site plans for the development of property located in a Residence E District shall include an indication of existing mature trees and other instances of unique, indigenous and/or significant vegetation, or other natural features, so as to ensure their preservation and thereby retain an open space environment which

enhances the character of the town.

D. Parking Areas

- (1) The visual impact of parking areas shall be softened by interrupting continuous rows of parking spaces with planting, and be creating planted canopies over parking areas.
- (2) Any open parking areas of fifteen (15) spaces or more shall be provided with internal landscaping covering not less than ten percent (10%) of the total area of the parking area.
- (3) Landscaping shall be reasonably dispersed throughout the parking area. Primary landscape materials shall be shade trees. Secondary materials may include shrubs and ground cover which shall compliment the tree planting and the surrounding natural environment.

~~108-172~~ Access, Circulation, and Parking

A. Parking

- (1) The parking requirement for professional office uses is one (1) space per one hundred and fifty (150) square feet of floor area.
- (2) The parking requirement for residential uses is one and one half (1.5) spaces per dwelling unit.

B. Access: No more than one (1) access shall be provided per lot.

~~108-173~~ Signage

Signage shall meet the requirements of 108-56, General Sign Code, of the Zoning ordinance.

108-174. Additional Requirements

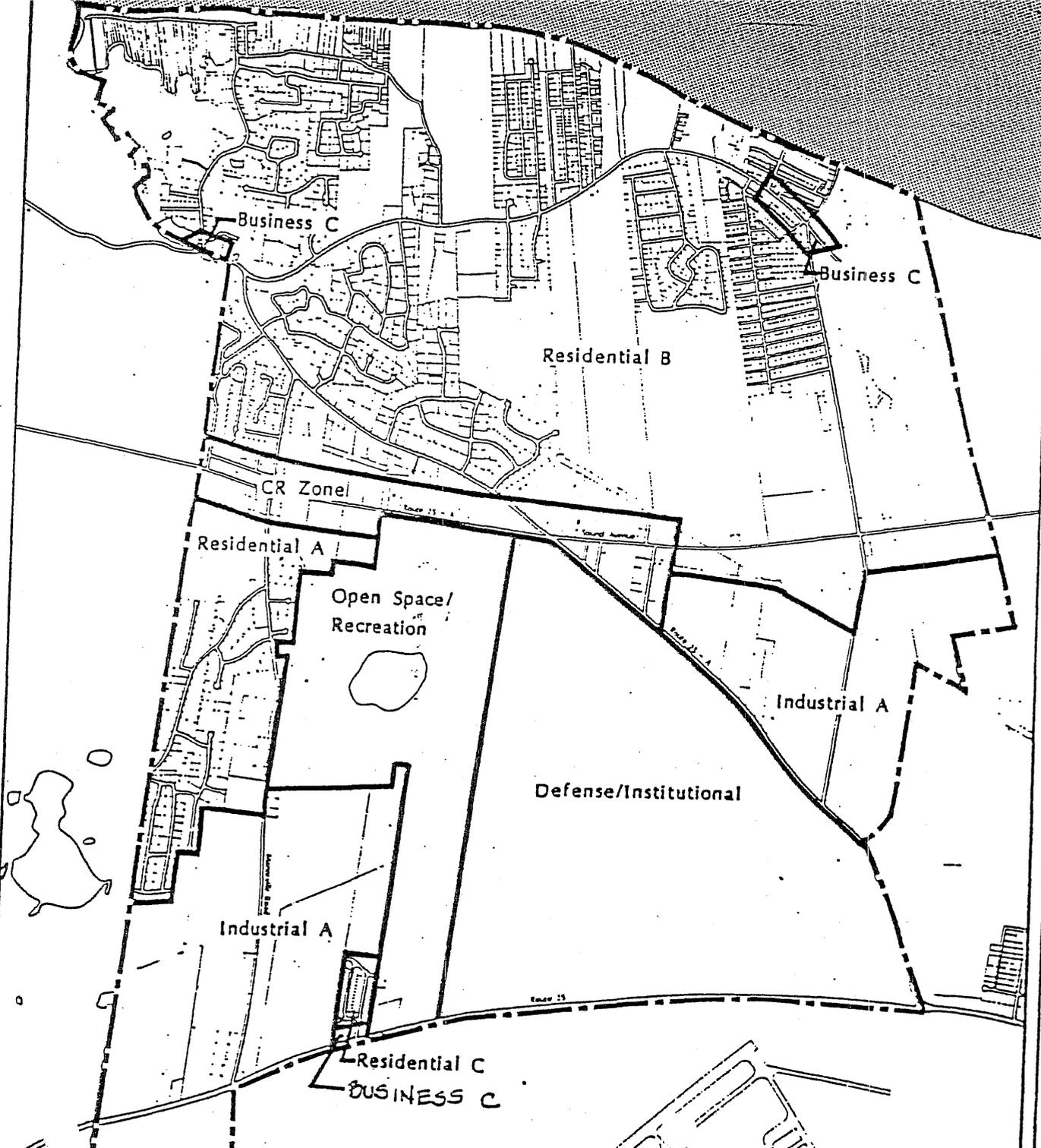
A. Cluster Development Application: The application for a proposed condominium will be combined with an application for a cluster development pursuant to the provisions of Article XIX of this Chapter and both will be considered under this provision.

B. Additional Information: The Planning Board, under these provisions and the procedures set forth in the subdivision regulations of the Town of Riverhead, may require the following additional information as a basis for approving the condominium map of such condominium subdivisions:

- (1) A complete site plan showing the location of all landscaping and other improvements, including dwelling units (with floor plans, elevation of all buildings and structures);
- (2) The text of all filed restrictions on the use of the land and buildings, including the condominium agreement ads approved by the New York State Attorney General;
- (3) Any other information deemed by the Board to be necessary to a reasonable determination of the

Wading River Hamlet Study Riverhead, N.Y.

5 Existing Zoning

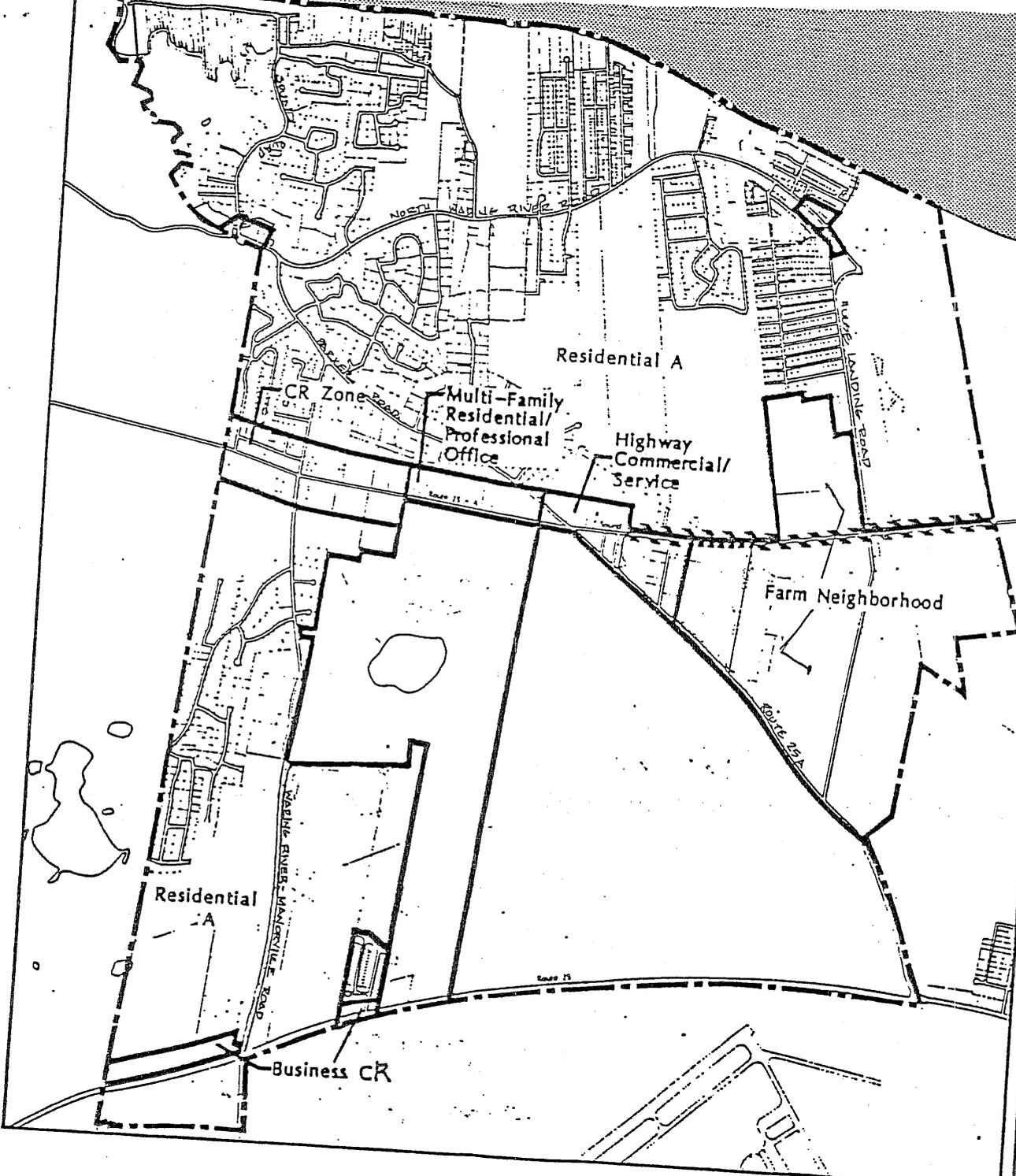


Wading River Hamlet Study

Riverhead, N.Y.

17
Proposed Zoning

- 
-  'Scenic' View Corridor: 100' Setback



Buckhurst Fish Hutton Katz Inc.
 0 3000' 

240 ADOPTS AMENDMENTS TO RIVERHEAD TOWN CODE AND ZONING USE DISTRICT MAP (RESIDENCE "B" AND INDUSTRIAL "A" TO FARM NEIGHBORHOOD - WADING RIVER)

revised

Councilperson _____ offered the following resolution, which was seconded by Councilperson Volz:

WHEREAS, the Town Board of the Town of Riverhead caused to be prepared a Wading River Hamlet Study; and

WHEREAS, in December, 1988, the Wading River Hamlet Study was submitted to the Town Board by Buckhurst, Fish, Hutton and Katz, Inc.; and

WHEREAS, the Town Board wishes to implement the recommendations of the Wading River Hamlet Study to the Business "CR" zoning use district; and

WHEREAS, the Riverhead Town Board referred the Wading Hamlet Study to the Riverhead Planning Board for its review and recommendations; and

WHEREAS, the Riverhead Planning Board resolved to endorse the Wading River Hamlet Study as an amendment to the Town of Riverhead Master Plan and forwarded specific recommendations to the Riverhead Town Board; and

WHEREAS, the Riverhead Town Board, according to the requirements of the Suffolk County Charter, did refer the Wading River Hamlet Study amending the ordinances and map to the Suffolk County Planning Commission, which approved said study and amendments to the ordinances; and

WHEREAS, the Town Clerk was authorized to publish and post a public notice scheduling a public hearing to hear all interested persons regarding development standards in Section 108-26.1 of the Riverhead Town Code and amendments to the Town of Riverhead Zoning Use District Map; and

WHEREAS, on February 9, 1989, a public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on February 16, 1989, another public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on March 1, 1989, a public hearing was held at 7:00 o'clock p.m. at the Wading River Elementary School, Wading River, New York, on the date and at the time and place specified in said public hearing, 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 issued a negative declaration regarding the amendments to the Riverhead Town Code and Zoning Use District Map, 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

RESOVLED, that the amendments to Section 108-26.1 of the Riverhead Town Code and the Town of Riverhead Zoning Use District Map be and are hereby adopted as attached hereto, which amendments in particular incorporates the Farm Neighborhood Zoning Use District into the Riverhead Town Code and those areas presently zoned Residence "B" and Industrial "A" to Farm Neighborhood on the Town of Riverhead Zoning Use District Map; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached amendments once in the Riverhead News-Review 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 the Suffolk County Planning Commission, Suffolk County Pine Barrens Review Commission, Town Board, Riverhead Planning Board, all adjoining towns and Town Attorney.

Councilwoman Civiletti offered the above resolution included with resolutions #226, #239-243 which was seconded by Councilman Pike.

Councilman Boschetti moved to table reso. #240 which was seconded by Councilman Lombardi.

The vote to table #240 , Boschetti, yes, Pike, no, Civiletti, no Lombardi, yes, Janoski, no.

The motion to table #240 of resolutions was DENIED.

Councilman Boschetti moved to recess which was seconded by Councilman Lombardi.

The vote to recess, Boschetti, yes, Pike, yes, Civiletti, no, Lombardi, yes, Janoski, abstain.

The meeting was thereupon duly recessed.

(Board returns from recess)

The vote to move the packet as offered by Councilwoman Civiletti, Boschetti, no, Pike, yes, Civiletti, yes, Lombardi, no, Janoski, no. The packet of resolutions were thereupon duly declared DENIED.

(Supervisor rules that each resolution is to be entertained separately)

Councilwoman Civiletti offered reso. #240 which was seconded by Councilman Pike.

Councilman Lombardi moves to table #240 which was seconded by

The vote to table reso. #240, Boschetti, yes, Pike, no, Civiletti, no, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared TABLED.

FARM NEIGHBORHOOD

108-26.1

A. The Farm Neighborhood Districta. Permitted Uses

In the Farm Neighborhood Zone, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise specifically provided for in this chapter, except for two (2) of the following permitted uses, special permit, or special exception uses and their customary accessory uses:

- (1) Agriculture
- (2) Horse farms
- (3) Vineyards and wineries
- (4) Greenhouses, plant nursery and garden
- (5) Retail Sales of farm produce and products grown and produced on site
- (6) Vegetable or fruit grading section and/or storage
- (7) Home occupations
- (8) Museums - historical exhibits
- (9) One-family dwelling
- (10) Parks, playground
- (11) Riding academy and corral

b. Special Permit Uses

A farmer's market - a unified center for retail sales of farm products, including products grown or produced off site.

c. Accessory Uses

Permitted accessory uses shall be the same as Agriculture A as provided by the Riverhead Town Code.

d. Density, Yard, and Height Requirements

- (a) The lot yield shall be four tenths of the total number of acres;
- (b) The maximum height shall be 35 feet;
- (c) The side yard, rear yard and minimum width shall be those required in Agriculture A required herein.

(d) Where the Planning Board has imposed a clustered development plan the yard requirements shall be determined by the Planning Board pursuant to Section 281 of the Town

e. The Zoning use classification known as Farm Neighborhood District shown on the attached amendment to the Zoning Use Classification Map is hereby adopted.

241 ADOPTS AMENDMENTS TO RIVERHEAD TOWN CODE AND ZONING USE DISTRICT MAP (BUSINESS "CR" TO HIGHWAY COMMERCIAL/SERVICE - WADING RIVER)

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

WHEREAS, the Town Board of the Town of Riverhead caused to be prepared a Wading River Hamlet Study; and

WHEREAS, in December, 1988, the Wading River Hamlet Study was submitted to the Town Board by Buckhurst, Fish, Hutton and Katz, Inc.; and

WHEREAS, the Town Board wishes to implement the recommendations of the Wading River Hamlet Study to the Business "CR" zoning use district; and

WHEREAS, the Riverhead Town Board referred the Wading Hamlet Study to the Riverhead Planning Board for its review and recommendations; and

WHEREAS, the Riverhead Planning Board resolved to endorse the Wading River Hamlet Study as an amendment to the Town of Riverhead Master Plan and forwarded specific recommendations to the Riverhead Town Board; and

WHEREAS, the Riverhead Town Board, according to the requirements of the Suffolk County Charter, did refer the Wading River Hamlet Study amending the ordinances and map to the Suffolk County Planning Commission, which approved said study and amendments to the ordinances; and

WHEREAS, the Town Clerk was authorized to publish and post a public notice scheduling a public hearing to hear all interested persons regarding development standards in Section 108-159 through Section 108-166 of the Riverhead Town Code and amendments to the Town of Riverhead Zoning Use District Map; and

WHEREAS, on February 9, 1989, a public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on February 16, 1989, another public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on March 1, 1989, a public hearing was held at 7:00 o'clock p.m. at the Wading River Elementary School, Wading River, New York, on the date and at the time and place specified in said public hearing, 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 issued a negative declaration regarding the amendments to the Riverhead Town Code and Zoning Use District Map, 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

RESOVLED, that the amendments to Section 108-159 through Section 108-166 of the Riverhead Town Code and the Town of Riverhead Zoning Use District Map be and are hereby adopted as attached hereto, which amendments in particular incorporates the Highway Commercial/Service Zone into the Riverhead Town Code and those areas presently zoned Business "CR" to Highway Commercial/Service on the Town of Riverhead Zoning Use District Map; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached amendments once in the Riverhead News-Review 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 the Suffolk County Planning Commission, Suffolk County Pine Barrens Review Commission, Town Board, Riverhead Planning Board, all adjoining towns and Town Attorney.

Dated: March 21, 1989

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

IRENE J. PENDZICK, TOWN CLERK

see: Map - "Wading River Hamlet Study, Riverhead, N.Y.
5 Existing Zoning"
Map - "Wading River Hamlet Study, Riverhead, N.Y.
17 Proposed Zoning"

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

HIGHWAY COMMERCIAL, SERVICE ZONE

108-159 Purpose

The purposes of this Article are to provide for highway commercial and related services; to respect and preserve the existing character of the town; and to provide for coordinated site design which unifies and congregates similar type activities and individual developments, thereby allowing convenient and safe vehicular circulation and promoting higher quality design of developments.

108-160

The zoning use classification known as Business E Highway Commercial/Service Zone shown on the attached amendment to the Zoning Use Classification Map is hereby adopted.

108-161 Uses

No building, structure or premises shall be used, in whole or in part, no building or premises shall be erected, altered, or added to unless otherwise provided in this ordinance, except for the following permitted uses, special permit uses, or accessory uses:

A. Permitted Uses

1. Wholesale business, warehouses, and building material and sale, excluding the storage of coal, coke fuel oil or junk;
2. Building, plumbing, and electrical contractors trade shop, with outdoor storage of equipment and materials considered an accessory use;
3. Banks;
4. Offices for business, governmental, and professional use;
5. Community centers or offices or meeting rooms for philanthropic, fraternal, or educational organizations;
6. Restaurants, excluding outdoor counter service, drive-ins, or curb service establishments;
7. Funeral homes, mortuaries, or undertaking establishments;
8. Retail sale and display of garden materials, supplies, and plants including nursery operations, provided that outdoor storage of materials and equipment is considered an accessory use. Outdoor storage and display of plants, nursery stock and horticultural stock is considered to be a permitted use;
9. Municipal parks, playgrounds, and recreational facilities, including refreshment and service buildings accessory thereto and

any other governmental uses and structures of the Town of Riverhead, the County of Suffolk, or the State or Federal governments or agencies thereof;

10. Public utility installations;
 11. Places of worship, excluding tents of a permanent nature;
 12. Bus passenger shelters;
 13. Radio, television, and recording studios;
 14. Professional or performing arts studios considered to be for instructional purposes such as those for dance, music, arts, and/or crafts.
- B. Uses subject to issuance of a special permit by the Town Board in accordance with Section 108-3 of this ordinance;
1. Gasoline Stations subject to the additional requirements of Section 108-26.
 2. Car washes;
 3. Research and development uses, provided that any manufacturing shall be limited to prototypes and products for testing;
 4. Institutions for higher learning, business, vocational, and training schools, including colleges, universities, junior colleges, business, banking, business management, secretarial and office service schools, computer and data processing schools, art and drafting schools, barber, beauty, and cosmetology schools, commercial or non-commercial food preparation schools, photography schools, schools for training in the martial arts, dancing, gymnastics, music, schools for fashion design, under the following conditions:
 - (a) The curriculum shall satisfy the requirements of the New York State Department of Education;
 - (b) No accommodations for resident students shall be permitted;
 - (c) No music or noise shall be audible in any residential district.
 5. Dry cleaning establishments;
 6. Printing plants;
 7. Fully-enclosed commercial recreation facilities, including but not limited to, tennis clubs, skating rinks, paddle tennis, handball and squash facilities, billiard parlors, bowling alleys, health spas and clubs, and uses

normally accessory and incidental to commercial recreation, such as locker rooms, eating and drinking facilities, and retail sale of goods associated with the particular activity;

8. Nationally-recognized fraternal organizations catering to members and their guests;
9. Fast food restaurants, provided that eating on the premises shall be permitted only inside the structure or in areas specifically designated and properly maintained outside the structure. Minimum lot size for a free standing structure is eighty thousand (80,000) square feet. Drive-in windows shall not be permitted.
10. Theaters or cinemas, other than drive-in type. If free standing, the minimum lot size shall be one hundred and twenty thousand (120,000) square feet;
11. Small animal hospitals or kennels, provided that no outdoor runs shall be permitted;
12. Outdoor table service for restaurants, with special permits renewable on an annual basis.

C. Accessory uses

1. Off street parking and loading;
2. Garden houses and greenhouses;
3. Signs, subject to the requirements of Section 108-165 of this ordinance;
4. Cafeteria and recreational facility for employees or clientele;
5. Fully-enclosed storage and open storage of materials or equipment provided that such storage shall be:
 - (a) At least twenty five (25) feet from any lot line;
 - (b) Not more than eight (8) feet high;
 - (c) Suitably screened by a solid fence or other suitable means at least six (6) feet in height;
 - (d) Trash compactors suitably screened from view.

108-162 Development Standards

- A. Lot Area: The minimum lot area shall be forty thousand (40,000) square feet.
- B. Lot Width: The minimum lot width (frontage) shall be one hundred fifty (150) feet.
- C. Yards
- (1) Front: The minimum front yard shall be thirty five (35) feet. No building, structure or parking shall be located in the front yard so provided.
 - (2) Side: The minimum side yard shall be twenty (20) feet.

- (3) Rear: The minimum rear yard shall be twenty five (25) feet.

D. Building Area

- (1) The maximum building area shall be seventeen percent (17%).

- E. Height: The maximum height of buildings and structures shall be thirty-five (35) feet.

108-163 Landscaping, Screening and Buffering

- A. Screening and Buffering shall meet the minimum requirements of 108-64.1 of this chapter. In addition, properties that are located adjacent to a non-commercial zone or an existing property shall provide a twenty (20) foot vegetative buffer between zones or properties.

- B. Preservation of Existing Vegetation: Site plans for the development of property located in a Business E District shall include an indication of existing mature trees and other instances of unique, indigenous and/or significant vegetation and other natural features, so as to ensure their preservation and thereby retain an open space environment which enhances the character of the town.

D. Parking Areas

- (1) The visual impact of parking areas shall be softened by interrupting continuous rows of parking spaces with planting, and by creating planted canopies over parking areas.

- (2) Any open parking areas of fifteen (15) spaces or more shall be provided with internal landscaping covering not less than ten percent (10%) of the total parking area.

- (3) Landscaping shall be reasonably dispersed. Primary landscape materials shall be shade trees. Secondary materials may include shrubs and ground cover which shall compliment the tree planting and the surrounding natural environment.

108-164 Access, Circulation, and Parking

- A. Parking: Off-street parking and loading must conform to the parking schedule and Sections 108-60 and 108-61 of this ordinance.

- B. Access: No more than one (1) access to the street shall be provided per lot. Shared access between properties will be required at the discretion of the Planning Board.

108-165 Signage

Signage shall meet the requirements of 108-56, General Sign Code, of the Zoning ordinance.

108-166 Additional Requirements

- A. Additional Information: The Planning Board, under these provisions and the procedures set forth in the subdivision regulations of the Town of Riverhead, may require the following additional information as a basis for approving the condominium map of such subdivisions:

- (1) A complete site plan showing the location of all landscaping and other improvements, including dwelling units (with floor plans, elevations, and sections of all buildings and structures);
- (2) The text of all filed restrictions on the use of the land and buildings, including the condominium agreement ads approved by the New York State Attorney General;
- (3) Any other information deemed by the Board to be necessary to a reasonable determination of the application.

242 ADOPTS AMENDMENT TO ZONING USE DISTRICT MAP FROM BUSINESS C AND INDUSTRIAL A TO BUSINESS CR (WADING RIVER)

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

WHEREAS, the Town Board of the Town of Riverhead caused to be prepared a Wading River Hamlet Study; and

WHEREAS, in December, 1988, the Wading River Hamlet Study was submitted to the Town Board by Buckhurst, Fish, Hutton and Katz, Inc.; and

WHEREAS, the Town Board wishes to implement the recommendations of the Wading River Hamlet Study to the Business "CR" zoning use district; and

WHEREAS, the Riverhead Town Board referred the Wading Hamlet Study to the Riverhead Planning Board for its review and recommendations; and

WHEREAS, the Riverhead Planning Board resolved to endorse the Wading River Hamlet Study as an amendment to the Town of Riverhead Master Plan and forwarded specific recommendations to the Riverhead Town Board; and

WHEREAS, the Riverhead Town Board, according to the requirements of the Suffolk County Charter, did refer the Wading River Hamlet Study amending the ordinances and map to the Suffolk County Planning Commission, which approved said study and amendments to the ordinances; and

WHEREAS, the Town Clerk was authorized to publish and post a public notice scheduling a public hearing to hear all interested persons regarding amendments to the Town of Riverhead Zoning Use District Map; and

WHEREAS, on February 9, 1989, a public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on February 16, 1989, another public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on March 1, 1989, a public hearing was held at 7:00 o'clock p.m. at the Wading River Elementary School, Wading River, New York, on the date and at the time and place specified in said public hearing, 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 issued a negative declaration regarding the amendments to the Riverhead Town Code and Zoning Use District Map, 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

RESOVLED, that the amendment to the Town of Riverhead Zoning Use District Map be and is hereby adopted as attached hereto, which map in particular changes those areas presently zoned Business "C" and Industrial "A" to Business "CR"; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the amended map, as attached hereto, once in the Riverhead News-Review 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 the Suffolk County Planning Commission, Suffolk County Pine Barrens Review Commission, Town Board, Riverhead Planning Board, all adjoining towns and Town Attorney.

Dated: March 21, 1989

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

IRENE J. PENDZICK, TOWN CLERK

SEE: Map - "Wading River Hamlet Study, Riverhead, N.Y.
5 - Existing Zoning"
Map - "Wading River Hamlet Study, Riverhead, N.Y.
17 - Proposed Zoning"

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes,
The resolution was thereupon duly declared adopted.

243 ADOPTS AMENDMENT TO ZONING USE DISTRICT MAP FROM RESIDENCE "B" AND INDUSTRIAL "A" TO RESIDENCE "A" (WADING RIVER)

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

WHEREAS, the Town Board of the Town of Riverhead caused to be prepared a Wading River Hamlet Study; and

WHEREAS, in December, 1988, the Wading River Hamlet Study was submitted to the Town Board by Buckhurst, Fish, Hutton and Katz, Inc.; and

WHEREAS, the Town Board wishes to implement the recommendations of the Wading River Hamlet Study to the Business "CR" zoning use district; and

WHEREAS, the Riverhead Town Board referred the Wading Hamlet Study to the Riverhead Planning Board for its review and recommendations; and

WHEREAS, the Riverhead Planning Board resolved to endorse the Wading River Hamlet Study as an amendment to the Town of Riverhead Master Plan and forwarded specific recommendations to the Riverhead Town Board; and

WHEREAS, the Riverhead Town Board, according to the requirements of the Suffolk County Charter, did refer the Wading River Hamlet Study amending the ordinances and map to the Suffolk County Planning Commission, which approved said study and amendments to the ordinances; and

WHEREAS, the Town Clerk was authorized to publish and post a public notice scheduling a public hearing to hear all interested persons regarding amendments to the Town of Riverhead Zoning Use District Map; and

WHEREAS, on February 9, 1989, a public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on February 16, 1989, another public notice scheduling a public hearing to hear all interested parties with regard to the proposed amendments to the Riverhead Town Code and Zoning Use District Map was resolved; and

WHEREAS, on March 1, 1989, a public hearing was held at 7:00 o'clock p.m. at the Wading River Elementary School, Wading River, New York, on the date and at the time and place specified in said public hearing, 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 issued a negative declaration regarding the amendments to the Riverhead Town Code and Zoning Use District Map, 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

RESOVLED, that the amendment to the Town of Riverhead Zoning Use District Map be and is hereby adopted as attached hereto, which map in particular changes those areas presently zoned Residence "B" and Industrial "A" to Residence "A"; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the amended map, as attached hereto, once in the Riverhead News-Review 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 the Suffolk County Planning Commission, Suffolk County Pine Barrens Review Commission, Town Board, Riverhead Planning Board, all adjoining towns and Town Attorney.

Dated: March 21, 1989

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

IRENE J. PENDZICK, TOWN CLERK

(see: Map - "Wading River Hamlet Study, Riverhead, N.Y.
5 - Existing Zoning")

Map - "Wading River Hamlet Study, Riverhead, N.Y.
17 - Proposed Zoning")

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

#244 AUTHORIZES PAYMENT OF BILLS.

Councilman Lombardi offered the following resolution which was seconded by Councilman Boschetti.

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

GENERAL TOWN

Abstract #5	vouchers 214,332,356,568	
	589-686	totalling \$242,038.08

HIGHWAY

Abstract #5	vouchers 40A,82-1	totalling \$ 29,404.49
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PUBLIC PARKING

Abstract #5	vouchers 10,33-37	totalling \$ 2,828.42
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DISCRETIONARY

Abstract #5	vouchers 35-37	totalling \$ 633.26
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YOUTH SERVICES

Abstract #5	vouchers 14,15	totalling \$ 1,028.25
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SENIORS HELPING SENIORS

Abstract #5	vouchers 18-21	totalling \$ 232.58
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EXPANDED IN-HOME SERVICE FOR ELDERLY

Abstract #5	vouchers 10-13	totalling \$ 89.13
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MUNICIPAL FUEL

Abstract #5	vouchers 14	totalling \$ 184.25
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The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.