

496
AMENDS SITE PLAN AND PROVIDES SUPPLEMENTAL SEQR DETERMINATIONS FOR MAP OF EXPANSION OF MOBILE HOME PARK OF ARTHUR THURM

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

WHEREAS, Arthur Thurm is the owner and proprietor of the Thurm's Mobile Home Estates located on the west side of Fresh Pond Avenue at Fresh Pond, Riverhead, New York; and

WHEREAS, an application for a special permit for the expansion of the Thurm's Mobile Home Estates was submitted to the Riverhead Town Board with such application approved through amendments to provide 86 units on a parcel of 42 acres (plan of Young & Young dated November 15, 1985); and

WHEREAS, the applicable procedures of the New York State Environmental Quality Review Act were made part of the existing special permit approval, i.e. the Riverhead Town Board to act as lead agency and a determination by the lead agency that the application constituted of a Type I Action to have no significant effect upon the environment (negative declaration); and

WHEREAS, the applicant has petitioned the Riverhead Town Board for an amendment to the existing special permit approval which would reduce the total number of mobile home sites from 86 to 76 on 42.3 acres (total yield of two units per acre).

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board, after consideration of the mobile home extension map and amending Environmental Assessment Form, hereby amends the existing special permit resolution dated January 21, 1986 in order that the total number of units be reduced from 86 to 76 as depicted on a map prepared by Young & Young dated April 7, 1988; and

BE IT FURTHER RESOLVED, that the Riverhead Town Board reaffirms decisions made in this matter regarding both procedures and determinations respecting the New York State Environmental Quality Review Act; specifically that the Riverhead Town Board will act as lead agency and that the action is determined to be a Type I Action having no significant effect upon the environment, such determination affirmed due to the reduction of the total number of units and overall area of the project (64 acres to 42.66 acres); and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert Tooker, Esq., as attorney for the applicant Arthur Thurm.

* * *

MOVED from table by Councilman Pike, Seconded by Councilman Lombardi with FIVE YES VOTES

THE VOTE, moved by Councilman Pike, Seconded by Lombardi, Boschetti, abstained, Civiletti, abstained, Janoski, yes

The resolution was thereupon duly declared adopted.

8/4/88

527

APPROVES MONTH EXTENSION OF SPECIAL PERMIT OF BROAD COVE FOR THE SOLE PURPOSE OF PROVIDING A SUPPLEMENTAL IMPACT STATEMENT TO THE TOWN OF RIVERHEAD

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

WHEREAS, Joseph Celic, Jr., and Leonard Suscy were granted a special permit dated September 2, 1975, to construct 500 condominium units on property located on Hubbard Avenue, Riverhead, New York; and

WHEREAS, said special permit, from time to time, has been extended, the last extension expiring August 6, 1988; and

WHEREAS, Broad Cove, the current owner of the property, has requested an extension of said special permit; and

WHEREAS, an environmental impact statement was prepared for Broad Cove, Inc., and findings made a part of special permit approval dated August 6, 1985; and

WHEREAS, changes, as proposed for the project and possible amendment of the Department of Environmental Conservation permit, are being considered by the D.E.C. as a result of notice of violation issued by the D.E.C. on April 15, 1988 and tentatively settled on August 2, 1988, any changes may significantly impact the project; and

WHEREAS, a change in circumstances not considered in the original environmental impact statement has arisen, which may result in a significant adverse environmental effect in that, as of June 17, 1988, a moratorium on sewer connections was imposed by the D.E.C.; and

WHEREAS, said moratorium was imposed due to concerns that the Riverhead Sewer/Scavenger Waste District is reaching maximum capacity and Broad Cove, Inc., will directly impact capacity concerns; and

WHEREAS, the Town Board of the Town of Riverhead, as governing body of the Riverhead Sewer/Scavenger Waste District, cannot assure expansion of the District and a package plant may be considered by Broad Cove, Inc., which would necessitate compliance with the New York State Quality Review Act (hereinafter referred to as SEQRA); and

WHEREAS, at a public hearing held August 2, 1988, on the applicant's request for an extension of the special permit, newly discovered information regarding boat tank waste disposal and impact of 500 boats into the Peconic Bay system were raised; and

WHEREAS, the above issues were never adequately discussed in the environmental impact statement prepared in 1984.

NOW, THEREFORE, BE IT

RESOLVED, that Broad Cove, Inc., be required to prepare a supplemental environmental impact statement; and be it further

RESOLVED, that Broad Cove, Inc., be granted a _____ month extension of its approved special permit for the sole purpose of the preparation of a supplemental environmental impact statement; and be it further

RESOLVED, that if Broad Cove, Inc., fails to submit the supplemental environmental impact statement in accordance with SEQRA within the next _____ months, the extension application shall be denied; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copies of this resolution to Anthony T. Conforti, Esq., attorney for the applicant, Broad Cove, Inc., the Riverhead Building Department, the New York State Department of Environmental Conservation and all interested agencies.

Moved by Supervisor Janoski - - no second

Resolution was not entertained.

8/4/88
#528DENIES EXTENSION OF SPECIAL PERMIT OF BROAD COVE

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

WHEREAS, certain conditions were imposed by the Town of Riverhead by special permit, as amended, dated August 6, 1985; and

WHEREAS, the following conditions were not complied with:

1. Broad Cove, Inc., has not applied for improvement of public water or public sewer;

2. Broad Cove, Inc., has not applied for expansion of the Riverhead Sewer District and as of June 17 1988, a moratorium on sewer connections was imposed by the New York State Department of Environmental Conservation;

3. Broad Cove, Inc., has not filed covenants as is required by special permit;

4. Broad Cove, Inc., has not submitted a site plan, as required by Article 26 and Section 108-31.1 of the Riverhead Town Code;

5. Broad Cove, Inc., has not submitted a condominium map to the Riverhead Planning Board;

6. Broad Cove, Inc., has not paid any fees to the Town of Riverhead;

7. Broad Cove, Inc., by its action on the site which resulted in notice of violaton issued April 15, 1988, did violate, by its own admission to the Town Board, conditions of the special permit to engage a professional to oversee all phases of construction, in particular, dredging, design and contours of pond development;

8. According to the D.E.C., Broad Cove, Inc., did dredge duck sludge. A condition of the special permit required removal of duck sludge to the Riverhead Town Landfill or other location approved by the D.E.C.; and

WHEREAS, Broad Cove, Inc., has had since September 2, 1975, to act on said special permit.

NOW, THEREFORE, BE IT

RESOLVED, that the application to extend the special permit of Broad Cove, Inc., be and is hereby denied; and be it further

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RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copies of this resolution to Anthony T. Conforti, Esq., attorney for the applicant, Broad Cove, Inc., New York State Department of Environmental Conservation, the Riverhead Building Department, the Riverhead Planning Department and all interested agencies.

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

The resolution was thereupon duly declared adopted.

8/4/88

529

AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF LOCAL LAW # -1988 PROVIDING FOR A SOLE ASSESSOR WHICH WILL SUPERSEDE LOCAL LAW NO. 1-1971

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish the following public notice once in the August 11, 1988, issue of The Riverhead News-Review and to post same on the signboard at Town Hall, which public notice will consider the Adoption of Local Law # -1988 providing for a sole assessor and will supersede Local Law No. 1-1971.

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of August, 1988, at 8:20 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the adoption of Local Law #___-1988 providing for a sole appointed assessor and will supersede Local Law No. 1-1971, the text of which shall read as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF RIVERHEAD as follows:

**LOCAL LAW NO. -1988
A LOCAL LAW PROVIDING FOR
A SOLE APPOINTED ASSESSOR**

Section 1. The Town Board of the Town of Riverhead shall appoint one (1) assessor in accordance with Section three hundred ten of the Real Property Tax Law.

Section 2. This local law shall supersede Local Law No. 1-1971 adopted April 8, 1971, and titled "A local law to provide for the retention of elected assessors in the Town of Riverhead" and Section twenty of the Town Law insofar as it is inconsistent with such section.

Section 3. A proposition for the approval of this local law shall be submitted to the electors of the Town of Riverhead at the general election to be held in November, nineteen hundred eighty-eight, and this local law shall become operative only if approved by the affirmative vote of a majority of the qualified electors voting upon such proposition.

Section 4. This local law will take effect immediately upon the approval by the affirmative vote of qualified electors of the town voting upon said proposition.

Section 5. If this local law is approved by the affirmative vote of a majority of the qualified electors of the town voting thereon on said general election, the three (3) elected assessors' terms will terminate and the Town Board will appoint a sole assessor of the Town of Riverhead.

Copies of said local law are available at the Office of the Town Clerk to any interested persons during business hours.

Dated: Riverhead, New York
August 4, 1988.

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.