

*Town Clerk - Barbara
Grattan*

**TOWN BOARD MEETING
AGENDA**

October 1st, 2002

ROBERT F. KOZAKIEWICZ, Supervisor

**Edward Densieski, Councilman
James Lull, Councilman**

**Barbara Blass, Councilwoman
Rose Sanders, Councilwoman**

**Barbara Grattan, Town Clerk
Dawn Thomas, Town Attorney**

ELECTED OFFICIALS

**Laverne Tennenberg
Madelyn Sendlewski
Paul Leszczynski
Mark Kwasna
Maryann Wowak Heilbrunn
Richard Ehlers
Allen M. Smith**

**Chairwoman Board of Assessors
Board of Assessors
Board of Assessors
Highway Superintendent
Receiver of Taxes
Town Justice
Town Justice**

DEPARTMENT HEADS

**John J. Hansen
Leroy E. Barnes, Jr.
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief David Hegermiller
Jane Vanden Thoorn
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

**Accounting Department
Building Department
Community Development
Engineering Department
Planning Department
Police Department
Recreation Department
Senior Services
Sanitation Department
Sewer District
Water Department**

Call to Order and Salute to the Flag

REPORTS

Sewer Dept. Discharge Monitoring Report for August, 2002

Town Clerk: Monthly Report for September, 2002
Total Collected: \$9064.57

Building Dept.: Monthly report for August, 2002-
Total:Collected:\$80,954.75

Police Dept. Monthly report for June, 2002

Wading River Fire Dist: Budget for 2003
Jamesport Fire Dist.

APPLICATIONS

Shows & Exhibition Permit: Helen's Greenhouses-Sept. to Oct. 26th
9 a.m. to 7 p.m.-Hayrides

Parade Permit: Riverhead Foundation-11/2/02-10 a.m. to 12:00 p.m.

CORRESPONDENCE

Joan Tyska: Re: North Shore Farms-In favor of.

Anthony Dente: In support of the Calverton Motorsports Park.

Jacquelyn Williams: Opposing the Spa at Fox Hill.

Jill Lewis: Re: Comments on the Comprehensive Master Plan
Pine Barrens Society

Denise Flores &
Augusta Fields: Letter of resignation form the Human Service Advisory Board

Robert Obie: Letter of resignation from the Sewer Department

COMMITTEE REPORT

Densieski: Stop

PUBLIC HEARINGS

SCHEDULED OCTOBER 1ST, 2002

- 7:05 P.M. The Community Development Block Grant Application for Fiscal Year 2003.
- 7:10 P.M. The Consideration of a Local Law to Repeal and replace Section 108-56 (Signs) of Chapter 108.
- 7:20 P.M. The Consideration of the Addition to Article XXXV-Outdoor Lighting to the Town Zoning Ordinance.
- 7:25 P.M. The Consideration of certain amendments to Article XIII, Section 108-64.4 to facilitate the construction of Agricultural Worker Housing within the proposed Agricultural Overlay Zone.
- 7:30 P.M. The Consideration of the Purchase of Development Rights of lands owned by the Hartman Family.
- 7:35 P.M. The Consideration of the Purchase of Development Rights of lands owned by John Sipala.
- 7:40 P.M. The Consideration of the Purchase of Development Rights of lands owned by Robert H. Gammon.
- 7:45 P.M. The Riverhead Water District entering into a Lease Agreement with Sprint Spectrum L.P.
- 7:50 P.M. The Petition of Mill Pond Commons for a lateral sewer connection for their proposed condominium development.
- 7:55 P.M. The Extension to the Riverhead Water District to be known as Extension 7A.
- 8:00 P.M. The Increase & Improvements of the Facilities of the Riverhead Scavenger Waste District.

PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:
COMMUNITY DEVELOPMENT AGENCY MEETING:

- #15 Authorizes Chairman to Execute a Deed for Sale of Property to the Riverhead Water District

REGULAR TOWN BOARD MEETING:

- #1008** Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code
- #1009 Adopts a Local Law to Add Article XXVI-A of Chapter 108 of the Riverhead Town Code Entitled, "Special Permits"
- #1010 Adopts a Local Law to Repeal and Replace Chapter 108 (Zoning) Subsection 108-3 (Definition of a Special Permit) of the Riverhead Town Code
- #1011 Authorizes the Supervisor to Execute an Agreement with the County of Suffolk in Connection with the Installation of Traffic Control Devices CR 58, Old Country **Road@Serota** Plaza in the Town of Riverhead
- #1012 Authorizes Town Clerk to Advertise for Bids- RWD-A1-60 Extension #70-Mid Road Properties
- #1013 Authorization to Publish³Bid for Meat & Poultry
- #1014 Authorizes Town Clerk to Post and Publish Notice to Bidders for the Purchase of Pedestrian Bus Shelters for Various Locations in the Town of Riverhead
- #1015 2002 Sound Avenue (Horton to Roanoke Avenue) Resurfacing Capital Project Budget Adoption
- #1016 Cherry Lane, Berry Lane & Maple Road Resurfacing Capital Project Budget Adoption
- #1017 Barbara Court & White Spruce Drive Resurfacing Capital Project Budget Adoption
- #1018 Joan Court & Daniel Court Resurfacing Capital Project Budget Adoption
- #1019 Stephen Drive * Josephine Drive Resurfacing Capita Project Budget Adoption
- #1020 Herod Point Road & Michaels Lane Resurfacing Capital Project Budget Adoption
- #1021 Connecticut Avenue Culvert Replacement Capital Project Budget Adoption
- #1022 Oakleigh Avenue Resurfacing Capital Project Budget Adoption

- #1023 Business Improvement District Budget Adjustment
- #1024 Highway Department Budget Adjustment
- #1025 Approves Temporary Sign Permit of Tupperware
- #1026 Accepts Resignation of Robert Obie of the Sewer District
- #1027 Appoints a Recreation Specialist to the Riverhead Recreation Department (G. Frost)
- #1028 Appoints a Fill-In Volleyball Official to the Riverhead Recreation Department (F. Phillips)
- #1029 Appoints a Volleyball Official to the Riverhead Recreation Department (J. Serrana)
- #1030 Appoints a Recreation Specialist to the Riverhead Recreation Department (J. Murphy)
- #1031 Approves Application of Helen's Greenhouses (HayRides)
- #1032 Approves Application of Verderber Landscape Nursery, Inc.
- #1033 Accepts Performance Bond of Aircraft Warehousing, Inc.
- #1034 Authorizes Attendance at Empire Development Zone Conference
- #1035 Approves Special Permit of Little Flower Children's Services
- #1036 Sets Fee for Town of Riverhead Adult Daycare Program
- #1037 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for a Drug Court Specialist at the Riverhead Town Justice Court
- #1038 Approves Amended Site Plan of Mid-Road Properties (Windcrest East)
- #1039 Approves Site Plan of Roanoke Shopping Plaza-Mansard (Roof) Panels
- #1040 Approves Site Plan of World Tile
- #1041 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for P/T Guard/Monitor for the Building Department
- #1042 Authorizes the Town Supervisor to Execute Telephone Lease Agreement for Senior Citizen Human Resource Center
- #1043 Authorizes Town Supervisor to Execute Change Orders GC 14-GC 20 for Senior Citizen Human Resource Center

- #1044 Authorizes Supervisor to Execute Change Order No. 3 for Municipal Garage Mechanics Maintenance Facility
- #1045 Authorizes Supervisor to Execute Change Order 3- Hawkeye Electric
- #1046 Authorizes Supervisor to Execute Change Order for Iron Pier-Plumbing- Carter-Melence
- #1047 Approves Special Permit of Northwind Farms, Inc.
- #1048 Appoints Smith, Finkelstein, Lundberg, Isler & Yakaboski, Esqs. as Special Counsel in respect to Litigation
- #1049 Authorizes Supervisor to Execute Consent Order with TS Haulers, Inc. Terminating the Sandmine Operation and Allowing Reclamation
- #1050 Authorizes Town Clerk to Publish and Post Public Notice Regarding Handicapped Concerns in the Town of Riverhead
- #1051 Pays Bills
- #1052 Authorizes Amendment to the Community Development Block Grant Program and Adjustment of Budget
- #1053 SEQRA Findings Regarding the Special Permit Petition of J. Douglas Stark and Agnes Stark (Glenwood Oaks)

10/1/02

Adopted

TOWN OF RIVERHEAD

Resolution # 1008 A

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE

COUNCILWOMAN BLASS offered the following resolution, was seconded by COUNCILWOMAN SANDERS :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of August, 2002 at 2:20 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Planning Board; the Riverhead Planning Department and the Riverhead Building Department and the Code Revision Committee.

THE VOTE

Sanders Yes No Bless Yes No
Densleld Yes No Luil Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE. that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on October 1, 2002.

A copy of the entire text of the proposed local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: Riverhead, New York
October 1, 2002

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

BARBARA GRATTAN, Town Clerk

ARTICLE VI
Agriculture A District

§ 108-21. Uses. [~~Amended 5-17-72; 7-3-79~~]

* * *

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

* * *

(7) Polo matches and exhibitions, commercial by special permit of the Town Board. [~~Added 6-2-1992~~]

* * *

§108-26. ~~Additional requirements for special permit uses.~~ [~~Amended 5-17-72~~]

A. Gasoline service station.

* * *

(3) ~~The~~ Any permit granted shall be conditioned upon the lot's being used for retail sale of motor fuels, lubricants and other motor vehicle supplies, including spark plugs, batteries, tires and other customary minor parts for the repair, servicing and upkeep of motor vehicles, not including body and fender work; upon all repair work being performed inside a building and only between the hours of 7:00 a.m. and 9:00 p.m., prevailing time, except for emergencies; and upon there being no storage of dismantled vehicles on the lot. Violations of any of these conditions shall cause a revocation of the permit, and the failure to enforce the revocation because of any violation shall not constitute a waiver as to future or continuing violations.

* * *

ARTICLE VIII
Business B District (Shopping Center)

§ 108-34. Uses. [~~Amended 7-3-79~~]

* * *

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

* * *

- (4) A game arcade by special permit of the Town Board. ~~[Added 4-8-1982]~~

* * *

§ 108-37. Additional requirements.

* * *

- H. Gasoline service station.

* * *

- (3) ~~The~~ Any permit granted shall be conditioned upon the lot's being used for retail sale of motor fuels, lubricants and other motor vehicle supplies, including spark plugs, batteries, tires and other customary minor parts for the repair, servicing and upkeep of motor vehicles, not including body and fender work; upon all repair work being performed inside a building and only between the hours of 7:00 a.m. and 9:00 p.m., prevailing time, except for emergencies; and upon there being no storage of dismantled vehicles on the lot. Violations of any of these conditions shall cause a revocation of the permit, and the failure to enforce the revocation shall not constitute a waiver as to future or continuing violations.

* * *

ARTICLE IX

Business C District (Neighborhood Business)

§ 108-39. Uses. ~~[Amended 12-5-72; 5-17-77; 11-8-78; 7-3-79]~~

* * *

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

* * *

§ 108-41. Additional requirements.

A. Gasoline service station.

* * *

- (3) ~~The~~ Any permit granted shall be conditioned upon the lot's being used for retail sale of motor fuels, lubricants and other motor vehicle supplies, including spark plugs, batteries, tires and other customary minor parts for the repair, servicing and upkeep of motor vehicles, not including body and fender work; upon all repair work being performed inside a building and only between the hours of 7:00 a.m. and 9:00 p.m., prevailing time, except for emergencies; and upon there being no storage of dismantled vehicles on the lot. Violations of any of these conditions shall cause a revocation of the permit, and the failure to enforce the revocation shall not constitute a waiver as to future or continuing violations.

* * *

ARTICLE X
Business D District (General Business)

§ 108-42. Uses. [~~Amended 12-5-72; 1-11-74; 6-17-75; 5-25-76; 11-8-78; 7-3-79]~~

* * *

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

* * *

§ 108-44. Additional requirements for special permit uses.

A. Gasoline service station.

* * *

- (3) ~~The~~ Any permit granted shall be conditioned upon the lot's being used for retail sale of motor fuels, lubricants and other motor vehicle supplies, including spark plugs, batteries, tires and other customary minor parts for the repair, servicing and upkeep of motor vehicles, not including body and fender work; upon all repair work being performed inside a building and only between the hours of 7:00 a.m. and 9:00 p.m., prevailing time, except for emergencies; and upon there being no storage of dismantled vehicles on the

lot. Violations of any of these conditions shall cause a revocation of the permit, and the failure to enforce the revocation shall not constitute a waiver as to future or continuing violations.

* * *

ARTICLE XI Industrial A District (Light Industry)

§ 108-45. Uses. [~~Amended 12-5-72; 6-17-75; 7-15-75; 5-25-76; 12-21-76; 5-17-77; 11-8-78; 7-3-79~~]

* * *

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

* * *

(7) Dog and horse training, to include but not be limited to care, grooming, exercising, schooling and exhibiting by special permit of the Town Board.

* * *

§ 108-47. Additional requirements.

A. Gasoline service station.

* * *

(3) ~~The~~ Any permit granted shall be conditioned upon the lot's being used for retail sale of motor fuels, lubricants and other motor vehicle supplies, including spark plugs, batteries, tires and other customary minor parts for the repair, servicing and upkeep of motor vehicles, not including body and fender work; upon all repair work being performed inside a building and only between the hours of 7:00 a.m. and 9:00 p.m., prevailing time, except for emergencies; and upon there being no storage of dismantled vehicles on the lot. Violations of any of these conditions shall cause a revocation of the permit, and the failure to enforce the revocation shall not constitute a waiver as to future or continuing violations.

* * *

ARTICLE XII

Industrial B District (General Industry)

§ 108-48. Uses. [~~Amended 5-4-71; 12-5-72; 11-8-78; 7-3-79~~]

* * *

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

* * *

- (5) Dog and horse training, to include but not be limited to care, grooming, exercising, schooling and exhibiting by special permit of the Town Board.

* * *

§ 108-50. Additional requirements.

- A. Gasoline service stations.

* * *

- (3) ~~The~~ Any permit granted shall be conditioned upon the lot's being used for retail sale of motor fuels, lubricants and other motor vehicle supplies, including spark plugs, batteries, tires and other customary minor parts for the repair, servicing and upkeep of motor vehicles, not including body and fender work; upon all repair work being performed inside a building and only between the hours of 7:00 a.m. and 9:00 p.m., prevailing time, except for emergencies; and upon there being no storage of dismantled vehicles on the lot. Violations of any of these conditions shall cause a revocation of the permit, and the failure to enforce the revocation shall not constitute a waiver as to future or continuing violations.

* * *

ARTICLE XIII Supplementary Use Regulations

§ 108-51. Nonconforming buildings and uses.

* * *

- B. A nonconforming use may be changed to another nonconforming use when approved as ~~a special exception~~ by the Board of Appeals as hereinafter ~~provided in § 108-76 of this chapter,~~ and such use shall be classified as a nonconforming use in continuity. Nothing herein contained shall be construed to permit a residence in a use district where it is not permitted use.

* * * the intervening sections of the Code of the Town of Riverhead remain unchanged

10/1/02

Adopted

TOWN OF RIVERHEAD

Resolution # 1009_A

ADOPTS A LOCAL LAW TO ADD ARTICLE XXVI-A OF CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED, "SPECIAL PERMITS"

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILMAN DENESKI :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to add Article XXVI-A of Chapter 108 of the Riverhead Town Code entitled, "Special Permits"; and

WHEREAS, a public hearing was held on the 3rd day of September, 2002 at 7:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law to add Article XXVI-A of Chapter 108 of the Riverhead Town Code entitled, "Special Permits", is hereby adopted as specified in the attached notice of adoption; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Planning Board; the Riverhead Planning Department and the Riverhead Building Department and the Code Revision Committee.

THE VOTE

Sanders Yes No Blass Yes No
Deneski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to add Article XXVI-A of Chapter 108 of the Riverhead Town Code entitled, "Special Permits" at its regular meeting held on October 1, 2002.

A copy of the entire text of the proposed local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: Riverhead, New York
October 1, 2002

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

BARBARA GRATTAN, Town Clerk

ARTICLE XXVI-A
SPECIAL PERMIT

§ 108-133.1. Special permit general use requirements.

The special uses for which conformance with additional standards is required by this chapter shall be deemed to be special permit uses in their respective districts subject to the satisfaction of the requirements and standards set forth herein, in addition to all other requirements of this chapter. All such uses are declared to possess characteristics of such unique and special forms that each specific use shall be considered as an individual case.

§108-133.2. Approval of special permit use.

- A. Special permits for special permit uses as authorized in this chapter shall issue from the Town Board. Special permits will issue in the form of a resolution of the Town Board, stating findings and conditions.
- B. The Town Board may condition the permit by requiring that the applicant actually complete construction and begin the specially permitted use in compliance with the conditions imposed by the Town Board within a time period of from one (1) to three (3) years. If the Town Board fails to specify a period to complete construction and begin the specially permitted use the time period to complete construction and begin the specially permitted use shall be one (1) year.
- C. The duration of a specially permitted use may be limited to a specified time period as set fourth in the special permit resolution of the Town Board. If the Town Board is silent as to the duration of the specially permitted use than said use is shall be in perpetuity.
- D. A specially permitted use, which has been discontinued for a period of one year or more, shall be deemed abandoned.

§108-133.3. Application for special permit use.

Application for special permit use shall be made to the Town Board. Each such application shall contain the following data and information. In addition, each application shall contain any requirements specified by the Town of Riverhead Planning Board relating to the special permit use application:

- A. The location and size of the use, the nature and intensity of the operations involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it. In addition,

the application shall demonstrate that the specially permitted use will be in harmony with the appropriate and orderly development of the district in which it is located.

- B. The location, nature and height of buildings, walls and fences and the nature and extent of the landscaping on the site. In addition, the application shall demonstrate that the specially permitted use is such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.
- C. The application shall demonstrate that operations in connection with any special use will not be more objectionable to nearby properties than would be the operations of any permitted use not requiring a special permit.
- D. A written application, verified by the applicant, not an agent, where the applicant is the person or entity responsible and bound for the land use envisioned by the special permit. Where the applicant is not the owner of the real property, the owner must join in and swear to the truth of the application. Any special permit granted, unless performance of the terms and conditions thereof is bonded, shall be personal to the applicant and shall not be assignable or transferable without a resolution of approval by the Town Board.
- E. A conceptual site plan showing the proposed location of all proposed buildings, parking stalls, access locations, as well as front, rear and side yard setbacks, signed, sealed and certified by a New York State licensed engineer, architect or licensed land surveyor.
- F. A list of property owners based upon the most complete assessment roll filed with Town of Riverhead within a radius of five hundred (500) feet of the subject property. This requirement may be waived by the Town Board where the special permit sought is for the construction of a single-family dwelling. No person may object to any approval granted after notice is served by the applicant or designated representative pursuant to this definition, unless an objection is received by the Town Clerk, within thirty (30) days of the date of publication of the public notice calling the hearing, alleging that he or she did not receive the notice provided for in this definition. Also, an affidavit signed by the applicant or designated representative attesting to serving the public notice as required by this definition must be filed with the Town Clerk prior to the holding of the public hearing.
- G. Any other information deemed by either board in its discretion to be necessary for reasonable determination of the application.
- H. Expert testimony or reports by independent engineers, special counsel or architects shall be paid for by the applicant.
- I. Any applicant filing for a special permit to erect a one-family dwelling as authorized in this chapter may request in his or her application waiver of any of

the requirements of special use permits. The Town Board shall have discretion to waive certain requirements upon demonstration by the applicant that such requirements are not essential to protect the public health safety or general welfare.

§108-133.4. Application procedure.

- A. Area variance. The applicant must first apply to the Zoning Board of Appeals for any variance which may be necessary. Only after the applicant has obtained all necessary variances shall the Town Board Act upon the special permit application.

- B. Referral to Planning Board. Posting of Notice of Pending Application. Any application made pursuant to the provisions of this Article shall originate by an application to the Town Board, contrary provisions notwithstanding, and shall be referred to the Planning Board upon being deemed complete by the Planning Department, which will transmit its recommendations to the Town Board within sixty-two (62) days of referral. Upon application, the Town Clerk shall provide to the applicant a sign to be immediately posted at the property indicating that a special permit application is pending before the Riverhead Town Board. Thereafter, when a public hearing is scheduled by the Town Board, the Town Clerk shall forward by certified mail a copy of the public hearing notice to the applicant, wherein the applicant shall then fill in the date and time of the public hearing on the sign heretofore posted at the subject property. Before the Town Board can determine said special permit application, an affidavit executed by the applicant must be filed with the Town Clerk stating that he has complied with the posting requirements above outlined.

- C. Town Board public hearing. After receipt of the recommendations of the Planning Board, the Town Board shall hold a public hearing upon public notice and other notices as required by the Town Law. The applicant or his/her representative shall forward a certified copy of the public hearing notice by certified mail to all property owners within a five-hundred (500) foot radius of the subject property, and the applicant shall pay all expenses of said hearing, including but not limited to publication costs, postage and transcription of testimony. Public notice of said hearing shall be printed in a newspaper of general circulation in the Town at least five (5) days prior to the date thereof. All testimony at the public hearing before the Town Board shall be given under oath. The Town Board may require the sworn testimony of such persons as it deems necessary for a full and complete hearing on the application. The Town Board may adjourn the public hearing for the purpose of taking further testimony or requiring the production of further information. The Town Board shall decide upon the application within sixty-two (62) days after the close of the hearing. The time within which the Town Board must render its decision may be extended by mutual consent of the applicant and the board. The decision of the Town Board on the application after the close of the public hearing shall be filed in the office

of the Town Clerk within five (5) business days after such decision is rendered, and a copy thereof mailed to the applicant.

- D. FEES The fee for the review of a special permit application which would result in the construction of a building(s) or a disturbed area of 4,000 square feet or less shall be \$250.00. The fee for the review of a special permit application for the construction of a building(s) or disturbed area of 4,000 square feet or greater shall be \$1,000.00. The required fee shall be paid upon submission of the application to the Town Clerk.

§108-133.5. Items to be considered by reviewing board.

The Town Board and the Planning Board may consider, among other matters or factors which either board may deem material, whether:

- A. The site is particularly suitable for the location of such use in the community.
- B. The plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof.
- C. The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area or other place of public assembly.
- D. Access facilities are adequate for the estimated traffic from public streets and sidewalks, so as to assure the public in relation to the general character of the neighborhood and other existing or permitted uses within it, and to avoid traffic congestion; and further that vehicular entrances and exits shall be clearly visible from the street and not be within seventy-five (75) feet of the intersection of street lines at a street intersection except under unusual circumstances.
- E. All proposed curb cuts and street intersections have been approved by the street or highway agency which has jurisdiction.
- F. Adequate provisions have been made for emergency conditions.
- G. There are off-street parking and truck loading spaces at least in the number required by the provisions of this chapter, but in any case, an adequate number for the anticipated number of occupants, both employees and patrons or visitors; and further, that the layout of the spaces and driveways are convenient and conducive to safe operation.
- H. Adequate buffer yards, landscaping, walls, fences and screening are provided where necessary to protect adjacent properties and land uses.

- I. Where necessary, special setback, yard, height and building area coverage requirements, or easements, rights-of-way or restrictive covenants, shall be established.
- J. Where appropriate, a public or semipublic plaza or recreational or other public areas will be located on the property.
- K. Adequate provisions will be made for the collection and disposal of stormwater runoff from the site and of sanitary sewage, refuse or other waste, whether liquid, solid, gaseous or of other character.
- L. Existing municipal services and facilities are adequate to provide for the needs of the proposed use.
- M. The use will tend to generate or accumulate dirt or refuse or tend to create any type of environmental pollution, including vibration, noise, light, electrical discharges, electro-magnetism, odors, smoke or irritants, particularly where they are discernible on adjacent properties or boundary streets.
- N. The construction, installation or operation of the proposed use is such that there is a need for regulating the hours, days or similar aspects of its activity.
- O. The proposed use recognizes and provides for the further special conditions and safeguards required for particular uses as may be determined by the Town Board or the Planning Board.
- P. The design, layout and contours of all roads and rights-of-way encompassed within the site of the application are adequate and meet Town specifications.
- Q. Adequate provisions have been made for the collection and disposal of solid wastes, including but not limited to the screening of all containers.
- R. That the intensity of the proposed specially permitted use is justified in light of similar uses within the zoning district.

§108-133.6. Conditions.

The Town Board, in its resolution approving or approving with modifications a special permit pursuant to this Article, may make and include certain reasonable conditions and restrictions in its discretion directly related to and incidental to the special permit including but not limited to the following:

- A. The posting of performance bonds to guarantee the performance of any or all conditions imposed by the resolution.

- B. The imposition of fees or in lieu thereof dedication of land or open space easements in an amount or form to be determined by the Town Board as necessary to adequately recompense the Town for the additional municipal service requirements to be provided as a result of the granting of the special permit.
- C. The filing with the County Clerk of the County of Suffolk of covenants and restrictions, easements or other recordable agreements running with the land and binding upon all successors of the applicant to guarantee or implement the provisions of the special permit.

§108-133.7. Town Board determination.

- A. The Town Board shall determine that:
 - A. The use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood.
 - B. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the town.
 - C. The health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use.
- D. Such use will be in harmony with and promote the general purposes and intent of this chapter.

10/1/02

Adopted

TOWN OF RIVERHEAD

Resolution # 1010

ADOPTS A LOCAL LAW TO REPEAL AND REPLACE CHAPTER 108 (ZONING) SUBSECTION 108-3 (DEFINITION OF A SPECIAL PERMIT) OF THE RIVERHEAD TOWN CODE

COUNCILMAN DENESKI

_____ offered the following resolution, was seconded by

COUNCILWOMAN BLASS

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to repeal and replace subsection 108-3 (Definitions – Special Permit) of Chapter 108 entitled, "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 3rd day of September, 2002 at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law to repeal and replace subsection 108-3 (Definitions – Special Permit) of Chapter 108 entitled, "Zoning" of the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Planning Board; the Riverhead Planning Department and the Riverhead Building Department and the Code Revision Committee.

THE VOTE

Sanders Yes No Blass Yes No
Densloski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to repeal and replace subsection 108-3 (Definitions – Special Permit) of Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on October 1, 2002.

A copy of the entire text of the proposed local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: Riverhead, New York
October 1, 2002

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

BARBARA GRATTAN, Town Clerk

~~SPECIAL PERMIT (Amended 12-5-1972; 5-17-1975; 12-6-1977);~~

~~A. Special permits for special permitted uses as authorized in this chapter shall issue from the Town Board. Special permits will issue in the form of a resolution of the Town Board, stating findings and conditions. Special permits of the Town Board shall be for whatever duration decided by the Town Board and as specified in the Town Board's resolution. If the Town Board fails to specify a period of time, said period shall be in perpetuity. In addition, the Town Board may condition the permit by requiring that the applicant actually begin use and complete construction or use requirements in compliance with the conditions imposed by the Town Board within a time period of from one to three years, decided by the Town Board and set forth in the resolution granting said permit. If the Town Board fails to specify a period, said period shall be one year. The Town Board, under these provisions and any further rules or requirements of the Planning Board of the Town of Riverhead, requires the following data and information as a basis for approving a special permit:~~

~~(1) A written application, verified by the applicant, not an agent, where the applicant is the person or entity responsible and bound for the construction envisioned by the special permit. Where the applicant is not the owner of the real property, the owner must join in and swear to the truth of the application. Any special permit granted, unless performance of the terms and conditions thereof is bonded, shall be personal to the applicant and shall not be assignable or transferable without a resolution of approval by the Town Board.~~

~~(2) A conceptual site plan showing the proposed location of all proposed buildings, parking walls, access locations, as well as front, rear and side yard setbacks, signed, sealed and verified by a New York State licensed engineer, architect or licensed land surveyor. (Amended 12-10-2000 by L.L. No. 12-2000)~~

~~(3) A list of property owners based upon the most complete assessment roll filed with Town of Riverhead within a radius of 500 feet of the subject property. This requirement may be waived by the Town Board where the special permit sought is for the construction of a single family dwelling. No person may object to any approval granted after notice is served by the applicant or designated representative pursuant to this definition, unless an objection is received by the Town Clerk, within 30 days of the date of publication of the public notice calling the hearing, alleging that he did not receive the notice provided for in this definition. Also, an affidavit signed by the applicant or designated representative attesting to serving the public notice as required by this definition must be filed with the Town Clerk prior to the holding of the public hearing. (Amended 5-15-1991; 7-17-1994; 1-5-1999)~~

~~(4) Any other information deemed by either board in its discretion to be necessary for reasonable determination of the application.~~

~~B. Expert testimony or reports by independent engineers, geologists, geologists or architects shall be paid for by the applicant.~~

~~C. Any applicant filing for a special permit to erect a single family dwelling as authorized in this chapter may request in his or her application, any or all of the requirements of this definition.~~

~~D. Incorporated in this definition as referenced are any and all conditions, requirements or modifications set forth~~

~~E. [Amended 5-15-1994; 10-6-1997]. Application procedure. The applicant must first apply to the Zoning Board of Appeals for any variances which may be necessary. Only after the applicant has obtained all necessary variances shall the application procedures listed below be followed:~~

~~(1) Any application made pursuant to the provisions of this definition shall originate by an application to the Town Board, contrary provisions notwithstanding, and shall be referred to the Planning Board, which will transmit its recommendations to the Town Board within sixty (60) days of referral. Upon application, the Town Clerk shall provide to the applicant a sign to be immediately posted at the property indicating that a special permit application is pending before the Riverhead Town Board. Thereafter, when a public hearing is scheduled by the Town Board, the Town Clerk shall forward by certified mail a copy of the public hearing notice to the applicant, wherein the applicant shall then fill in the date and time of the public hearing on the sign heretofore posted at the subject property. Before the Town Board can deny or approve said special permit application, an affidavit executed by the applicant must be filed with the Town Clerk stating that he has complied with the posting requirements above outlined.~~

~~(2) After receipt of the recommendations of the Planning Board, the Town Board shall hold a public hearing upon public notice as required by § 265 of the Town Law. The applicant or his representative shall forward a certified copy of the public hearing notice by certified mail to all property owners within a five hundred foot radius of the subject property to be affected by the special permit and the applicant shall pay all expenses of said hearing, including but not limited to publication costs, postage and transcription of testimony. All testimony at the public hearing before the Town Board shall be given under oath. The Town Board may require the sworn testimony of such persons as it deems necessary for a full and complete hearing on the application. The Town Board may adjourn the public hearing for the purpose of taking further testimony or requiring the production of further information. [Amended 1-5-1999]~~

~~(3) The Town Board shall determine that:~~

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

~~(b) The benefits or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantages to be gained either by the neighborhood or the town.~~

~~(c) The health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use.~~

~~(d) Such use will be in harmony with and promote the general purposes and intent of this chapter.~~

~~(4) The Town Board and the Planning Board may consider, among other matters, factors which either board may deem material, whether:~~

~~(a) The site is particularly suitable for the location of such use in the community;~~

~~(b) The plot area is sufficient, appropriate and adequate for the use and the construction and required operation and expansion thereof;~~

~~(c) The characteristics of the proposed use are not such that its prohibited location would be unduly near to a church, school, theater, recreational area, or other place of public assembly;~~

- ~~(d) Access facilities are adequate for the estimated traffic from public streets and sidewalks, so as to assure the public in relation to the general character of the neighborhood and other existing or permitted uses within it and to avoid traffic congestion; and further that vehicular entrances and exits shall be clearly visible from the street and not be within seventy five (75) feet of the intersection of street lines at a street intersection except under unusual circumstances.~~
- ~~(e) All proposed curb cuts and street intersections have been approved by the street or highway agency which has jurisdiction.~~
- ~~(f) Adequate provisions have been made for emergency conditions.~~
- ~~(g) There are off street parking and truck loading spaces at least in the number required by the provisions of this chapter, but in any case, an adequate number for the anticipated number of occupants, both employees and persons or visitors; and further that the layout of the spaces and driveways are convenient and conducive to safe operation.~~
- ~~(h) Adequate buffer yards, landscaping, walls, fences and screening are provided where necessary to protect adjacent properties and land uses.~~
- ~~(i) Where necessary, special setback, yard, height and building area coverage requirements, or easements, rights of way or restrictive covenants, shall be established.~~
- ~~(j) Where appropriate, a public or semipublic plaza or recreational or other public area will be located on the property.~~
- ~~(k) Adequate provisions will be made for the collection and disposal of stormwater runoff from the site and of sanitary sewage, refuse or other waste, whether liquid, solid, gaseous or of other character.~~
- ~~(l) Existing municipal services and facilities are adequate to provide for the needs of the proposed use.~~
- ~~(m) The use will tend to generate or accumulate dirt or refuse or tend to create any type of environmental pollution, including vibration, noise, light, electrical discharges, odors, smelts or irritants, particularly where they are discernible on adjacent properties or boundary streets.~~
- ~~(n) The construction, installation or operation of the proposed use is such that there is a need for regulating the hours, days or similar aspects of its activity.~~
- ~~(o) The proposed use recognizes and provides for the further special conditions and safeguards required for particular uses as may be determined by the Town Board or the Planning Board.~~
- ~~(p) The design, layout and contours of all roads and rights of way incorporated within the site of the application are adequate and meet town specifications.~~
- ~~(q) Adequate provisions have been made for the collection and disposal of some wastes, including but not limited to the screening of oil containers.~~
- ~~(r) The proposed number of units is justified in light of the number of units that will be proposed, built, occupied or vacant within the Town of Danvers.~~
- ~~The Town Board, in its resolution granting a special permit pursuant to the definition, may make and include certain conditions and covenants, not exceeding and not limited to the following:~~
- ~~The posting of performance bonds to guarantee the performance of all conditions imposed by the resolution.~~
- ~~The imposition of fees or a fee-in-kind reduction of land or non-land use covenants in an amount or term to be determined by the Town Board as necessary to~~

~~adequately recompense the town for the additional municipal service requirements to be provided as a result of the granting of the special permit.~~

~~(2) The filing with the County Clerk of the County of Suffolk of covenants and restrictions, easements or other recordable agreements running with the land is binding upon all successors of the applicant to guarantee or implement the provisions of the special permit.~~

~~C. In those sections of this chapter where special permits are authorized by resolution and the provisions of this definition, the Town Board, upon finding and stating said findings in its resolution of approval that the overall purposes of this chapter can be fulfilled by the inclusion in said special permit of a variance from the requirements of any use district, may grant in its resolution granting a special permit a variance of up to five percent (5%) of any setback area, coverage, height, lot area, floor area, side yard, front yard, rear yard or parking requirements.~~

~~12. ¹ Fees. The fee for a special permit petition which will result in the construction of a building or buildings with a total of less than 1,000 square feet shall be \$250. The fee for a special permit petition which will result in the construction of a building or buildings with a total of 1,000 square feet or greater shall be \$1,000. The fee shall be made a part of the initial application. (Added 5-20-1997)~~

SPECIALLY PERMITTED USE - shall mean a authorization of a particular land use which this Chapter permits subject to certain specified requirements imposed by this Chapter to assure that the proposed use is in harmony with this Chapter and will not adversely affect the neighborhood if such requirements are met.

Adopted

10/01/02

TOWN OF RIVERHEAD

Resolution # 1011

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT
WITH THE COUNTY OF SUFFOLK IN CONNECTION WITH THE
INSTALLATION OF TRAFFIC CONTROL DEVICES
CR 58, OLD COUNTRY ROAD @ SEROTA PLAZA
IN THE TOWN OF RIVERHEAD**

COUNCILWOMAN BLASS offered the following resolution, was seconded
by COUNCILWOMAN SANDERS:

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute an agreement between the County of Suffolk and the Town of Riverhead, which agreement provides for the installation of traffic control devices at the location of CR 58, Old Country Road @ Serota Plaza in the Town of Riverhead; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Office of the Supervisor; Kenneth Testa, P.E.; the Riverhead Police Department; the Riverhead Planning Department and the Office of Accounting.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No:

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

COUNCILWOMAN BLASS OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILWOMAN SANDERS. The Vote: Sanders, yes, Blass, yes, Densieski, no, Lull, no, and Kozakiewicz, no. The resolution was declared not to be Tabled. COUNCILMAN DENSIESKI OFFERED THE RESOLUTION, WHICH WAS SECONDED BY COUNCILWOMAN SANDERS. The VOTE: Sanders, no, Blass, no, Densieski, yes, Lull, yes and Kozakiewicz, yes.

THE RESOLUTION WAS THEREUPON DECLARED TO BE DULY ADOPTED.

10/01/02

Adopted

TOWN OF RIVERHEAD

Resolution # 1012

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
RIVERHEAD WATER DISTRICT
RDWD A1-60 EXTENSION 70 – MID ROAD PROPERTIES

COUNCILWOMAN SANDERS offered the following
 resolution, which was seconded by COUNCILMAN LULL

RESOLVED, that the Town Clerk be and is authorized to publish in the October 9, 2002 issue of the Suffolk County Life and post the attached Notice to Bidders with regard to receiving bids for the construction of water mains and appurtenances RDWD A1-60 Extension 70 – Mid Road Properties.

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Frank Isler, Esq, H2M and Gary Pendzick.

THE VOTESanders Yes NoBlass Yes NoDensieski Yes NoLull Yes NoKozakiewicz Yes No

The Resolution Was Was Not
 Thereupon Duly Declared Adopted

The Town Board of Riverhead will receive bids for the following contract:

Installation of Water Mains and Appurtenances
Project No.: Extension No. 70, Mid Road Properties, RDWD A1-60

for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until 11:00 AM, prevailing time, on **Monday, October 21, 2002**, at which time and place all bids will be publicly opened and read.

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

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

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

Copies of the contract documents may be obtained at the above locations *on or after October 9, 2002* upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

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

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

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

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

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: October 9, 2002

October 1, 2002

Adopted

TOWN OF RIVERHEAD

Resolution #1013

AUTHORIZATION TO PUBLISH BID FOR MEAT & POULTRY

COUNCILMAN LULL offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI**

WHEREAS; the Town Clerk was authorized to publish and post a notice to bidders for MEAT & POULTRY and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the OCTOBER 9TH, 2002 issue of the SUFFOLK COUNTY LIFE.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the NUTRITION CENTER and the Purchasing Department.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **MEAT & POULTRY PRODUCTS** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 A.M. ON OCTOBER 25TH, 2002.**

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

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

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

Adopted

October 1, 2002

TOWN OF RIVERHEAD

RESOLUTION # 1014

AUTHORIZES TOWN CLERK TO POST AND PUBLISH NOTICE TO BIDDERS FOR PURCHASE OF PEDESTRIAN BUS SHELTERS FOR VARIOUS LOCATIONS IN THE TOWN OF RIVERHEAD

COUNCILMAN DENESKI offered the following resolution, which was seconded by COUNCILWOMAN SANDERS.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the October 10, 2002 issue of the official Town newspaper for the purchase of pedestrian bus shelters for various locations in the Town of Riverhead; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Testa, P.E., Vincent Taldone, Jean Lum and the Office of Accounting, and the Peconic Community Council.

THE VOTE
Sanders Yes No Blase Yes No
Doneski Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the purchase of pedestrian bus shelters will be received at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 am on October 30, 2002 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about October 11, 2002 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "Pedestrian Bus Shelters".

The Town of Riverhead reserves the right to reject any and all bids.

BY ORDER OF THE RIVERHEAD TOWN BOARD
Barbara A. Grattan Town Clerk
Riverhead, NY 11901

Dated: October 1, 2002

OCTOBER 1, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 1015

2002 SOUND AVE (HORTON TO ROANOKE AVE)

RESURFACING CAPITAL PROJECT

BUDGET ADOPTION

COUNCILWOMAN SANDERS offered the following resolution ,
which was seconded by COUNCILWOMAN BLASS

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.051100.487451.45038	TRANSFER FROM C.H.I.P.S. CAP PROJ	FROM:
406.051100.492245.45038	MULTI MODEL STATE AID	\$45,000.
		50,000.

		TO:
406.051100.541301.45038	ROAD RESURFACING EXPENSE	\$95,000.

THE VOTE

Sanders <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Densieski <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kozakiewicz <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Adopted

OCTOBER 1, 2002

TOWN OF RIVERHEAD

Resolution # 1016

CHERRY LANE, BERRY LANE & MAPLE ROAD

RESURFACING CAPITAL PROJECT

BUDGET ADOPTION

COUNCILWOMAN BLASS offered the following resolution ,
which was seconded by COUNCILMAN LULL

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.051100.487451.45039 TRANSFER FROM C.H.I.P.S. CAP PROJ **FROM:**
\$13,500.

406.051100.541301.45039 ROAD RESURFACING EXPENSE **TO:**
\$13,500.

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

Adapte

OCTOBER 1, 2002

TOWN OF RIVERHEAD

Resolution #1017

BARBARA COURT & WHITE SPRUCE DRIVE

RESURFACING CAPITAL PROJECT

BUDGET ADOPTION

COUNCILWOMAN BLASS offered the following resolution ,
which was seconded by COUNCILMAN DENSIESKI

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.051100.487451.45040 TRANSFER FROM C.H.I.P.S. CAP PROJ **FROM:**
\$18,000.

406.051100.541301.45040 ROAD RESURFACING EXPENSE **TO:**
\$18,000.

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

OCTOBER 1, 2002

TOWN OF RIVERHEAD

Resolution # 1018

JOAN COURT & DANIEL COURT

RESURFACING CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN DENSIESKI offered the following resolution ,
which was seconded by COUNCILWOMAN BLASS

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.051100.487451.45041 TRANSFER FROM C.H.I.P.S. CAP PROJ **FROM:**
\$13,000.

406.051100.541301.45041 ROAD RESURFACING EXPENSE **TO:**
\$13,000.

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

OCTOBER 1, 2002

TOWN OF RIVERHEAD

Resolution # 1019

STEPHAN DRIVE & JOSEPHINE DRIVE

RESURFACING CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN LULL offered the following resolution ,
which was seconded by COUNCILWOMAN SANDERS

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.051100.487451.45032 TRANSFER FROM C.H.I.P.S. CAP PROJ **FROM:**
\$54,000.

406.051100.541301.45032 ROAD RESURFACING EXPENSE **TO:**
\$54,000.

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

Adopted

OCTOBER 1, 2002

TOWN OF RIVERHEAD

Resolution # 1020

HEROD POINT RD & MICHAELS LANE RESURFACING

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN DENSIESKI offered the following resolution ,
which was seconded by COUNCILWOMAN BLASS

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.051100.487451.45033	TRANSFER FROM C.H.I.P.S. CAP PRO	FROM: \$50,500.
406.051100.541301.45033	ROAD RESURFACING EXPENSE	TO: 50,500.

THE VOTE

Sanders <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Densieski <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kozakiewicz <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

OCTOBER 1, 2002

TOWN OF RIVERHEAD

Resolution # 1021

CONNECTICUT AVE. CULVERT REPLACEMENT

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILWOMAN BLASE offered the following resolution ,
which was seconded by COUNCILWOMAN SANDERS

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.051100._____45034	SERVICE OTHER GOV'T (BROOKHAVEN)	FROM: \$11,000.
406.051100.487451.45034	TRANSFER FROM CHIPS CAP PROJ	11,000.

406.051100.523000.45034	DRAINAGE CONSTRUCTION	TO: 22,000.
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THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

Adopte

OCTOBER 1, 2002

TOWN OF RIVERHEAD

Resolution # 1022

OAKLEIGH AVE RESURFACING

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILWOMAN SANDERS offered the following resolution ,
which was seconded by COUNCILMAN LULL

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.051100.487451.45037	TRANSFER FROM C.H.I.P.S. CAP PROJ	FROM: \$75,000.
406.051100.523000.45037	ROAD RESURFACING EXPENSE	TO: 75,000.

THE VOTE

Sanders <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Densieski <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kozakiewicz <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

OCTOBER 1, 2002

1913

10/01/02

TOWN OF RIVERHEAD

BUSINESS IMPROVEMENT DISTRICT
BUDGET ADJUSTMENT

RESOLUTION # 1023

COUNCILMAN LULL offered the following resolution ,
which was seconded by COUNCILWOMAN BLASS

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

118.095031.485500	TRANSFER FROM CDBG	FROM: \$5,000.
118.095031.481000	TRANSFER FROM GENERAL FUND	4,000.

118.064100.524000	EQUIPMENT	TO: \$9,000.
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THE VOTE

Sanders <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Densieski <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kozakiewicz <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Adopted

TOWN OF RIVERHEAD

HIGHWAY DEPARTMENT
BUDGET ADJUSTMENT

RESOLUTION # 1024

COUNCILWOMAN BLASS offered the following resolution ,

which was seconded by COUNCILMAN DENSIESKI

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

111.051100.541301 ASPHALT

FROM:
\$10,000.

111.051400.541306 DRAINAGE

TO:
\$10,000.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

September 17th, 2002

TOWN OF RIVERHEAD
Adopted September 17th, 2002
Resolution # 1025

APPROVES TEMPORARY SIGN PERMIT OF TUPPERWARE

Councilwoman Sanders offered the following resolution, which
was seconded by Councilwoman Blass.

WHEREAS, a temporary sign permit application and sketch were submitted by William Stephens, Genesis Enterprises, for property located at Tanger Factory Outlet, Suite 1400, Tanger II, Riverhead, New York; and

WHEREAS, pursuant to Section 108-56 C (5) of the Code of the Town of Riverhead, the application does not require the recommendation of the Architectural Review Board; and

WHEREAS, the sketch has been approved by three (3) Town Board members;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application submitted by William Stephens for Genesis Enterprises; and be it

RESOLVED, that said temporary sign permit extension shall expire on December 31st, 2002 and the applicant shall remove the affected sign, in its entirety, on or before said date; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Steven Williams, Genesis Enterprises, 680 East Jericho Turnpike, Huntington Station, New York 11746, the Planning Department and the Riverhead Building Department.

THE VOTE
Sanders Yes No Blass Yes No
Donleak Yes No Lull Yes No
Kozakewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON FULLY ADOPTED

10/01/02

Adopted

TOWN OF RIVERHEAD

Resolution # 1026

ACCEPTS RESIGNATION OF
ROBERT OBIE OF THE SEWER DISTRICT

COUNCILWOMAN BLASS offered the following
resolution, which was seconded by COUNCILMAN DENSIESKI

WHEREAS, Robert Obie has notified the Town Supervisor, in writing of his resignation effective December 28, 2002.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the resignation of Robert Obie.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert Obie, Michael Reichel, Sewer District Superintendent, the Supervisor's Office and the Office of Accounting.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

10/01/02

TOWN OF RIVERHEAD

Resolution # 1027

APPOINTS A RECREATION SPECIALIST
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

RESOLVED, that Gene Frost is hereby appointed to serve as a Recreation Specialist with the working title of a Roller Hockey Instructor, effective October 2, 2002, to and including December 31, 2002, to be paid at the rate of \$20.00 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

1

THE VOTE

Sanders Yes No Blass Yes No
Denstak Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

¹ Resolution Rec Specialist Gene Frost

10/1/02

TOWN OF RIVERHEAD

Resolution #1028

**APPOINTS A FILL-IN VOLLEYBALL OFFICAL
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Frank Phillips is hereby appointed as a Fill-in Volleyball Official effective, December 2, 2002 to and including May 1, 2003, to be paid at the rate of \$8.00 per game, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.¹

THE VOTE

Sanders Yes No Blass Yes No
Densleski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS NOT
THERE ADOPTED

¹ Rec. Doris/ Resolution. Frank Phillips

10/1/02

TOWN OF RIVERHEAD

Resolution #029

APPOINTS A VOLLEYBALL OFFICAL TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN DENESLESKI offered the following resolution.

which was seconded by COUNCILMAN LULL

RESOLVED, that Jessica Serrana is hereby appointed as a Volleyball Official effective, December 2, 2002 to and including May 1, 2003, to be paid at the rate of \$8.00 per game, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE Sanders Yes No Blass Yes No Densleski Yes No Lull Yes No Kozakiewicz Yes No THE RESOLUTION WAS WAS NOT THEREUPON DULY ADOPTED

1 Rec. Doris/ Resolution. Jessica Serrana

10/01/02

TOWN OF RIVERHEAD

Resolution # 1030

APPOINTS A RECREATION SPECIALIST
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN SANDERS offered the following resolution,
which was seconded by COUNCILWOMAN BLASS

RESOLVED, that James Murphy is hereby appointed to serve as a Recreation Specialist with the working title of a Roller Hockey Instructor, effective October 2, 2002, to and including December 31, 2002, to be paid at the rate of \$20.00 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

¹ Resolution Rec Specialist James Murphy

10/1/02

TOWN OF RIVERHEAD

Resolution # 1031

APPROVES APPLICATION OF HELEN'S GREENHOUSES (HAYRIDES)

COUNCILMAN DENESIENKO offered the following resolution, was seconded by

COUNCILMAN LULL :

WHEREAS, Helen's Greenhouses has submitted an application for the purpose of conducting hayrides to be held at Union Avenue, Aquebogue, New York between the hours of 9:00 a.m. and 7:00 p.m. on the following dates:

September 28, 2002
October 4th & 5th, 11th & 12th, 18th & 19th and 25th & 26th, 2002; and

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents regarding said application.

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as an additional insured.

NOW THEREFORE BE IT RESOLVED, that the application of Helen's Greenhouses for the purpose of conducting hayrides to be held at Union Avenue, Aquebogue, New York between the hours of 9:00 a.m. and 7:00 p.m. on the aforementioned dates, is by approved with the following conditions:

- The tractor used for this event be equipped with a 4A-60B-C fire extinguisher and means of communication (phone or portable radio) to summon help in the event of fire or other emergency during the day ride; and
- A pre-opening inspection to be conducted by the Riverhead Fire Marshal by calling 727-3200 ext. 209; and
- Applicant shall comply with all other applicable Town Code requirements, including but not limited to, 108-56 (Signs.); and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Helen's Greenhouses, Attn: Helen J. McKay, Union Avenue, Aquebogue, New York, 11931; the Riverhead Fire Marshal and the Riverhead Chief of Police.

Z:\Laura\chap90\hayride.res.doc

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

10/1/02

TOWN OF RIVERHEAD

Resolution # 1032

APPROVES APPLICATION OF VERDERBER LANDSCAPE NURSERY INC.

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILMAN DENESLEKI :

WHEREAS, VerDerBer Landscape Nursery Inc. has submitted an application for the purpose of conducting a corn maze walk and pumpkin picking at McKays Farmstand, Main Road, Aquebogue, New York, to be held from 9:00 a.m. to 6:00 p.m. on the following weekend dates:

October 5, 6, 12, 13, 19, 20, 26, 27, 2002
November 2, 3, 2002; and

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as an additional insured; and

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents including the certificate of insurance regarding said application.

NOW THEREFORE BE IT RESOLVED, that the application of VerDerBer Landscape Nursery Inc. for the purpose of conducting a corn maze walk and pumpkin picking at McKays Farmstand, Main Road, Aquebogue, New York, to be held from 9:00 a.m. to 6:00 p.m. on the aforementioned weekend dates is hereby approved; and be it further

RESOLVED, that a fire safety inspection by the Riverhead Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to VerDerBer Landscape Nursery Inc., P.O. Box 2265, Aquebogue, New York, 11931; Bruce Johnson, Riverhead Fire Marshal and Chief Hegermiller, Riverhead Police Department.

THE VOTE

Sanders Yes No Blass Yes No
Denesleki Yes No Luff Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREFORE ADOPTED

Accepted

TOWN OF RIVERHEAD

Resolution # 1033

ACCEPTS PERFORMANCE BOND OF AIRCRAFT WAREHOUSING, INC.

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by **COUNCILMAN LULL**

WHEREAS, Aircraft Warehousing, Inc. has posted a performance bond in the sum of Four Thousand One Hundred Sixty Two Dollars (\$4,162) representing the 5% site plan bond for the exterior alteration to a building located at 4195 Middle Country Road, Calverton, Riverhead, New York - Suffolk County Tax Map # 600-116.00-01-007.04 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said performance bond and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Four Thousand One Hundred Sixty Two Dollars (\$4,162) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Aircraft Warehousing, Inc., 1637 Broadhollow Road, Farmingdale, New York 11735, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

10/01/02

TOWN OF RIVERHEAD

Resolution # 1034

**AUTHORIZES ATTENDANCE AT
EMPIRE STATE DEVELOPMENT ZONE CONFERENCE**

COUNCILMAN LULL

Offered the following resolution,

Which was seconded by

COUNCILWOMAN SANDERS

WHEREAS, the State of New York of Economic Development routinely hosts mandatory information conferences for municipal coordinators of the Empire Development Zones throughout the State; and

WHEREAS, it is necessary and appropriate for the zone coordinator to attend this informational training session.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the attendance of the Riverhead EDZ Coordinator to attend said conference; and

BE IT FURTHER, RESOLVED, that all related expenses will be fully receipted and reimbursed upon their return not to exceed \$400.00; 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 Community Development Agency, the EDZ Coordinator, Lori Taggart, Suffolk County Executive's Office, Fred DiMaggio, New York State Empire Zone Office and the Accounting Office of Personnel.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

October 1, 2002

Tabled**TOWN OF RIVERHEAD**Resolution # 1035**APPROVES SPECIAL PERMIT PETITION OF LITTLE FLOWER
CHILDREN'S SERVICES****COUNCILWOMAN SANDERS**

offered the following resolution which

was seconded by **COUNCILMAN LULL**

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from Little Flower Children's Services, pursuant to Sections 108-3 and 108-51A of the Riverhead Town Code, for the construction of a 15,165 square foot respite care and infirmary building as part of an existing child care facility on a parcel zoned Residence A; such property more particularly described as Suffolk County Tax Map Number 0600-36-1-2, and

WHEREAS, the Riverhead Town Board by resolution No. 307 of 2002 did declare themselves to be the Lead Agency, and

WHEREAS, the Town Board did refer the petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the granting of the special permit subject to certain conditions, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the report of the Planning Board, the commentary made at the relevant public hearing, as well as all other pertinent planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of Little Flower Children's Services, the Riverhead Town Board, as Lead Agency, hereby determines the petition to be an Unlisted Action pursuant to 6NYCRR Part 617 and further determines the petition not to have adverse impacts to either the natural or social environment and that an Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the Riverhead Town Board hereby makes the following findings:

1. That the premises is located within the Residence A Zoning Use District;

- 2. That the 101 acre parcel is improved with a number of buildings which are facilities for child care services;
- 3. That the expansion will not prevent or substantially impair either the reasonable and orderly use of or development of other properties in the neighborhood;
- 4. That the hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town;
- 5. That the health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the authorized use;
- 6. That such use will be in harmony with and promote the general purposes and intent of the Zoning Ordinance; and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby approves the special permit application of Little Flower Children's Services subject to the following conditions:

- 1. That the proposed building will only be used for respite care and infirmity purposes;
- 2. That no building permit be issued until a site plan has been approved by the Town Board pursuant to Article XXVI of the Riverhead Zoning Ordinance;
- 3. That the contemplated site plan shall depict all buildings to be demolished or removed, and

BE IT FURTHER

RESOLVED, that a copies of this resolution be forwarded to the Town Attorney, Building Department, Planning Department and Peter S. Danowski, Esq. as agent for the applicant.

COUNCILWOMAN SANDERS OFFERED THE RESOLUTION TO BE TABLED; WHICH WAS SECONDED BY COUNCILWOMAN BLASS.

THE VOTE

Sanders Yes ___ No ___ Blass Yes ___ No ___
 Densleski Yes ___ No ___ Lull Yes ___ No ___
 Kozakiewicz ___ Yes ___ No ___ *Abstain*

THE RESOLUTION WAS ___ WAS NOT ___
 THEREUPON DULY ~~ADOPTED~~

Tabled

Adopted

TOWN OF RIVERHEAD

Resolution # 1036

SETS FEE FOR TOWN OF RIVERHEAD
ADULT DAYCARE PROGRAM

Councilwoman Blass offered the following resolution, which was
seconded by Councilman Densieski.

WHEREAS, the Town of Riverhead offers an Adult Daycare Program for frail elderly and those diagnosed with Alzheimer's Disease and/or related dementia.

THEREFORE BE IT RESOLVED, the Town Board hereby sets a daily fee of \$25.00 for those individuals who are registered in this program, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Senior Citizens Department and the Office of Accounting.

THE VOTE
Sardano Yes No Blass Yes No
Donatelli Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

October 1, 2002

TOWN OF RIVERHEAD

Adopted

Resolution # 1037

**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST
A HELP WANTED AD FOR A DRUG COURT SPECIALIST AT THE
RIVERHEAD TOWN JUSTICE COURT**

COUNCILMAN DENESIESKI offered the following
resolution, which was seconded by COUNCILMAN LULL

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the October 9, 2002 issue of The Suffolk County Life.

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

THE VOTE

Sanders <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Densieski <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kozakiewicz <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead has a position for a Drug Court Specialist at the Riverhead Justice Court. Requires a BA/BS in Criminal Justice with a NYS Certification in Alcohol & Substance Abuse Counseling and a clean, valid driver's license. Applications should be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY by October 18, 2002. EOE.

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

October 1st, 2002

Adopted

TOWN OF RIVERHEAD

Resolution #1038**APPROVES AMENDED SITE PLAN OF MID-ROAD PROPERTIES (WIND
CREST EAST)**

COUNCILMAN LULL offered the following resolution,
which was seconded by COUNCILWOMAN BLASS :

WHEREAS, a site plan and elevations were submitted by Larry C. Gargano, to delete the proposed concrete curb and sidewalk to install block curbing and provide a deceleration lane upon real property located at Middle Road, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-81-01-1.1; and

WHEREAS, the Planning Department has reviewed the site plan dated September 17th, 2002, as prepared by Young and Young, LS., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number of the Office of the Supervisor of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

RESOLVED, That in the matter of the site plan application of Larry C. Gargano, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Unlisted Pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

PLANNING/ROMAN

RESOLVED, that the site plan and elevations submitted by Larry C. Gargano, to delete the proposed concrete curb and sidewalk to install block curbing and provide a deceleration lane upon real property, located at Middle Road, Riverhead, New York, site plan dated September 17th, 2002, as prepared by Young and Young, L.S., 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 provisions and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That 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 and the Code of the Town of Riverhead, 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, Windcrest East hereby authorizes and consents to the Town

of Riverhead to enter premises at located at Middle Road, Riverhead, New York, to enforce said handicapped parking regulations;

- 10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
- 11. That all new utilities shall be constructed underground;
- 12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
- 13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
- 14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Larry C. Gargano, President, Windcrest East, PO Box 5750, Bah Shore, New York 11706, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Sanders <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Denslasid <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Kozakiewicz <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2002, made by Windcrest East, residing at P.O. Box 5750, Bay Shore, New York 11706, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, 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, Wiandcrest East hereby authorizes and consents to the Town of Riverhead to enter premises at Middle Road, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

Windcrest East

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, in the year _____ before me, the undersigned, _____ personally _____ appeared

_____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY

PUBLIC

October 1st, 2002

1936
Adopted
at town Board Meeting 10/15/2002

TOWN OF RIVERHEAD

Tabled

Resolution # 1039

**APPROVES SITE PLAN OF OF ROANOKE SHOPPING PLAZA - MANSARD
(ROOF) PANELS**

COUNCILWOMAN BLASS offered the following resolution,
which was seconded by COUNCILWOMAN SANDERS :

WHEREAS, a site plan and elevations were submitted by Heritage Property Investment, for the replacement of mansard roof panels of an existing shopping center, located at north side of Old Country Road (CR58), Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-3-18; and

WHEREAS, the Planning Department has reviewed the site plan dated October 1999, as prepared by William P. Lamont, LLS, and elevations dated June 14th, 2002, as prepared by Joseph T. Matthews, RA, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 18912 of the Office of the Supervisor of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of Heritage Property Investment, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Unlisted pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

PLANNING/ROMAN

RESOLVED, that the site plan and elevations submitted by Heritage Property Investment, for the replacement of mansard roof panels of an existing shopping center, located at north side of Old Country Road (CR58), Riverhead, New York, site plan dated October 1999, as prepared by William P. Lamont, LLS, and elevations dated June 14th, 2002, as prepared by Joseph T. Matthews, RA, 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 review and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That 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 and the Code of the Town of Riverhead, 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, Heritage Property Investment hereby authorizes and consents

to the Town of Riverhead to enter premises at north side of Old Country Road (CR58), Riverhead, New York, to enforce said handicapped parking regulations;

- 10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
- 11. That all new utilities shall be constructed underground;
- 12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
- 13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
- 14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
- 15. That no building permit shall be issued prior to the recording of a covenant acceptable to the Town Attorney, providing a right to the contiguous property owner to the west to pass and repass over the subject property. and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Heritage Property Investment, 185 Great Neck Road, Great Neck, New York 11021, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNILMAN LULL.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Adopted
AT TOWN BOARD MEETING OF 10/15/2002

Tabled

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2002, made by Heritage Property Investment, residing at 185 Great Neck Road, Great Neck, New York 11021, Declarant:

W I T N E S S E T H:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, 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, Heritage Property Investment hereby authorizes and consents to the Town of Riverhead to enter premises at north side of Old Country Road (CR58), Riverhead , New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

Heritage Property Investment

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the ____ day of _____, in the year _____ before me, the undersigned, _____ personally appeared

_____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

Adopted

October 1st, 2002

TOWN OF RIVERHEAD

Resolution # 1040**APPROVES SITE PLAN OF OF WORLD TILE****COUNCILMAN LULL** offered the following resolution,which was seconded by **COUNCILMAN DENFESKO** :

WHEREAS, a site plan and elevations were submitted by James V. DeLuca , for the replacement of two building elevations and the replacement of an asphalt parking area with landscaping, located at 1241 Old Country Road, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-102-14.2 & 14.3; and

WHEREAS, the Planning Department has reviewed the site plan dated August 26, 2002, as prepared by Robert F. Ingulli, R.A., and elevations dated June 2002, as prepared by Robert F. Ingulli, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number of the Office of the Supervisor of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of James V. DeLuca, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Unlisted Pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by James V. DeLuca, for the replacement of two building elevations and the replacement of an asphalt parking area with landscaping, located at 1241 Old Country Road, Riverhead, New York, site plan dated August 26, 2002, as prepared by Robert F. Ingulli, R.A., and elevations dated June 2002, as prepared by Robert F. Ingulli, R.A., 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 proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That 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 and the Code of the Town of Riverhead, 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, Mark Wieboldt hereby authorizes and consents to the Town

of Riverhead to enter premises at 1241 Old Country Road, Riverhead, New York, to enforce said handicapped parking regulations;

- 10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
- 11. That all new utilities shall be constructed underground;
- 12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
- 13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
- 14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
- 15. That no building permit shall be issued prior to the approval of the Planning Director of a plan to resurface and re-stripe the parking area pursuant to the off street parking regulation of the Town of Riverhead;
- 16. That the proposed handicapped area be improved with underground irrigation and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to James V. DeLucca, 12 Linda Lane East, Riverhead, New York , the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2002, made by Mark Wieboldt, residing at 2023 Ewell Place, Wantagh, New York 11743, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, 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, Mark Wieboldt hereby authorizes and consents to the Town of Riverhead to enter premises at 1241 Old Country Road, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

Mark Wieboldt

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the ____ day of _____, in the year _____ before me, the undersigned, _____ personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY

PUBLIC

Adopted

October 1, 2002

TOWN OF RIVERHEAD

Resolution # 1041

**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST
A HELP WANTED AD FOR P/T MONITOR FOR THE BUILDING
DEPARTMENT**

Councilwoman Blass offered the following
resolution, which was seconded by Councilman Lull

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the October 9, 2002 issue of The Suffolk County Life.

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

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead has part time positions for monitors (independent contractors). Flexible hours. A clean, valid driver's license is required. Applications should be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY by October 18, 2002. EOE.

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

October 1, 2002

AGC 11

TOWN OF RIVERHEAD

RESOLUTION # 1042

AUTHORIZES THE TOWN SUPERVISOR TO EXECUTE TELEPHONE LEASE AGREEMENT FOR SENIOR CITIZEN HUMAN RESOURCE CENTER

COUNCILWOMAN SANDERS offered the following resolution, which was seconded by COUNCILMAN DENESLESKI.

RESOLVED, that the Riverhead Town Board be and does hereby authorizes the Town Supervisor to execute the five (5) year telephone lease agreement with Nextiraone, LLC in the amount of \$434.43 per month for the Senior Citizen Human Resource Center located at 60 Shade Tree Lane, Aquebogue, NY; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Steve Alaimo, Nextiraone, LLC, 32 Hanscom Place, Rockville Centre, NY 11570, Kenneth Testa, P.E. and the Office of Accounting.

THE VOTE

Sanders Yes ___ No ___ Blass Yes ___ No ___
Densleski Yes ___ No ___ Lull Yes ___ No ___
Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

October 1, 2002

TOWN OF RIVERHEAD

RESOLUTION # 1043

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDERS GC 14-GC 20 FOR SENIOR CITIZEN HUMAN RESOURCE CENTER

COUNCILWOMAN BLASZ offered the following resolution, which was seconded by COUNCILMAN LULL.

WHEREAS, on December 18, 2002, the Riverhead Town Board adopted Resolution No. 1303 awarding the bid for General Construction SJS Construction Company, Inc., in the amount of One Million Three Hundred One Thousand Two Hundred Seventy Four & 00/100; and

WHEREAS, the Town Engineer has made recommendation that additional work be performed for Change Order GC-14 for additional closet in Room 121 in the amount of \$1,320.00, GC-15 for four (4) concrete bollards and concrete pad for new gas heater as per LIPA requirements in the amount of \$1,320.00, GC-16 for a 40" x 60" inch custom handicap accessible shower in the amount of \$2,860.00, GC-17 for new casework in the dining room in the amount of \$2,300.00, GC-18 for the purchase of additional kitchen equipment in the amount of \$7,200.00, GC-19 for the installation of kitchen equipment and installation of pot rack in the amount of \$6,050.00, GC-20 for the upgrade of wood flooring in the dining room in the amount of \$3,150.00 and

WHEREAS, the total contract increase for Change Orders GC-14 through GC-20 is \$24,200.00 with no additional time required for contract completion.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute Change Order GC-14 through GC-20 as described above; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to SJS Construction Company, Inc., 430 Falmouth Road, West Babylon, NY 11704, Martin Sendlewski, AIA, 215 Roanoke Avenue, Riverhead, NY 11901, Kenneth Testa, P.E. and the Office of Accounting.

THE VOTE
Sanders Yes No Blas Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

October 1, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1044

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER No. 3 FOR MUNICIPAL GARAGE MECHANICS MAINTENANCE FACILITY

COUNCILMAN DENSIESKI offered the following resolution which was

seconded by COUNCILWOMAN SANDERS.

WHEREAS, on January 15, 2002, the Riverhead Town Board adopted Resolution No. 95 entitled, "Awards Bid for Municipal Garage Addition and Alterations; and

WHEREAS, the bid was awarded to Stuart Berger Construction Corporation in the amount of Seven Hundred Twenty Nine Thousand Two Hundred Ninety Seven & 00/100; and

WHEREAS, the consulting engineer, H2M Group, has recommended that additional work is required to install vinyl tile for the lobby and office areas in the amount of \$796.56.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute Change Order No. 3 in the amount of Seven Hundred Ninety Six & 56/100; (\$796.56); and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Stuart Berger Construction Corporation, 368 Ocean Avenue, Lynbrook, NY 11563, Robert Scheiner, AIA and Joseph L. Mile, AIA, H2M Group, 575 Broad Hollow Road, Melville, NY 11747-5076, Kenneth Testa, P.E. and the Office of Accounting.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

October 1, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1045

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER NO. 3 FOR THE MUNICIPAL GARAGE MECHANICS MAINTENANCE FACILITY – ELECTRICAL

COUNCILWOMAN BLASE offered the following resolution

which was seconded by COUNCILWOMAN SANDERS.

WHEREAS, on December 4, 2001, the Riverhead Town Board adopted Resolution No. 1192 entitled, "Awards Bid For Municipal Garage Mechanics Maintenance Facility Addition and Improvements, HVAC, Plumbing, Electrical; and

WHEREAS, the bid was awarded to Hawkeye Construction in the amount of One Hundred Ninety Four Thousand One Hundred Ninety & 00/100 (\$194,190.00); and

WHEREAS, the Town Engineer and H2M Group, our consulting engineer, has recommended that additional work is required to install a vehicle lift feed in the amount of Three Thousand One Hundred Ninety & 00/100 (\$3,190.00) and the installation of the conduit required to extend the necessary circuits to the generator feed in the amount of Five Thousand Two Hundred Ten \$ 00/100 (\$5,210.00).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute Change Order No. 3 in the amount of Eight Thousand Four Hundred & 00/1001; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Hawkeye Construction, 2 Access Road, Patchogue, NY 11772, Kenneth Testa, P.E., Robert Scheiner, AIA and Joseph L. Mile, AIA, H2M Group, 575 Broad Hollow Road, Melville, NY 11747-5076 and the Office of Accounting.

THE VOTE

Sanders Yes No Blase Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

Adopt

October 1, 2002

TOWN OF RIVERHEAD

RESOLUTION # 1046

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER NO. 2 FOR IRON PIER BEACH PLUMBING CONSTRUCTION

COUNCILMAN DENSLESKI offered the following resolution, which was seconded by COUNCILMAN LULL

WHEREAS, on January 16, 2001, the Riverhead Town Board adopted Resolution No. 76 entitled, "Awards Bid for Iron Pier Reconstruction and Improvements"; and

WHEREAS, the plumbing construction bid was awarded to Carter-Melence, Inc. in the amount of Forty Seven Thousand Two Hundred Sixty & 00/100 (\$47,260.00); and

WHEREAS, the Town Engineer has recommended that additional work was necessary to provide and install a bathroom sink in the amount of Six Hundred & 00/100 (\$600).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute Change Order No. 2 in the amount of \$600; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to execute a change order for Carter-Melence, Inc., 104 New York Avenue, Sound Beach, NY 11789, Kenneth Testa, P.E. and the Office of Accounting.

THE VOTE Sanders Yes No Blass Yes No Densleski Yes No Lull Yes No Kozaklewicz Yes No THE RESOLUTION WAS WAS NOT THEREUPON DULY ADOPTED

Adopt

10/01/02

TOWN OF RIVERHEAD

Resolution # 1047

APPROVES SPECIAL PERMIT APPLICATION OF NORTHWIND FARMS

Councilwoman Sanders offered the following resolution, which was seconded by Councilman Lull:

WHEREAS, an application was submitted to the Town Board for a special permit pursuant to §§ 108-3 and 108-21B(3) to allow the construction of a second single family living area within an existing accessory structure located on a 16.35 acre parcel of land zoned Agriculture A on Herricks Lane in Jamesport, NY; such property more particularly described as 0600-22-2-15; and

WHEREAS, pursuant to resolution #364 of 2002, the Town Board did declare itself lead agency pursuant to 6 NYCRR Part 617 (SEQRA), and

WHEREAS, by resolution, the Town Board did refer the special permit petition to the Town of Riverhead Planning Board for its report and recommendation, and

WHEREAS, on July 10, 2002, the Planning Board resolved to recommend approval of the application subject to 1) the adoption of zoning amendments recommended by the Draft Comprehensive Plan and 2) that the principle single family residence remain owner occupied, and

WHEREAS, on September 17, 2002, a public hearing was held on the special permit petition of Northwind Farms before the Town Board at which all testimony was given under oath, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the recommendation of the Riverhead Planning Board, the sworn testimony given at the public hearing, as well as all relevant planning, zoning and environmental information,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby finds:

FIRST: That the subject premises lies within the Agriculture A Zoning Use District;

SECOND: That the real property is improved with a single family residence and a wood frame barn, and

THIRD: That the Agriculture A Zoning Use District provides for "Two Family Dwellings" as a specially permitted use, and

FOURTH: That the Draft Comprehensive Plan (APPS, 2001) recommends the following zoning modifications: 1) to support the agriculture industry by allowing agricultural worker housing as an accessory use within the Agricultural Overlay Zone, and 2) to support Agro-Tourism, by providing for detached accessory dwelling units within the Agricultural Overlay Zone, and

FIFTH: That the subject property lies within the Agriculture Overlay Zone as proposed in the Draft Comprehensive Plan, and

SIXTH: That the applicant has met the requirements of Town Law §274-b for the issuance of the special permit in that the proposed special permit use is in harmony with the existing zoning and that it will not adversely affect the neighborhood.

BE IT FURTHER,

RESOLVED, that based upon its findings, the Town Board of the Town of Riverhead hereby approved the special permit of Northwind Farms subject to the following conditions:

1) that the special permit shall terminate upon the subject property ceasing to be used as agricultural land and,

2) that covenants and restrictions reciting the conditions in a form to be approved by the Town Attorney be recorded against the subject property

BE IT FURTHER,

RESOLVED, that copies of this resolution be forwarded to the Planning Department, Town Attorney, Building Department, Charles M. Thomas, R.A., Jeffrey T. Butler, P.E., and Peter Danowski, Esq.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Danilecki	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lud	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

10/01/02

1957
Adopted

TOWN OF RIVERHEAD

Resolution #1048

APPOINTS THE LAW FIRM OF SMITH, FINKELSTEIN, LUNDBERG,
ISLER and YAKABOSKI, LLP, SPECIAL COUNSEL WITH RESPECT TO
LITIGATION

Councilman Densieski offered the following resolution, was
seconded by Councilwoman Blass:

WHEREAS, in the Fall of 2001, TS Haulers, Inc., commenced litigation against the Town of Riverhead in the Federal District Court, and

WHEREAS, the Town Attorney's Office has recommended that the litigation be handled by outside counsel,

NOW, THEREFORE

BE IT HEREBY RESOLVED, that the Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, be retained as special counsel in aforementioned matter, and be it further

RESOLVED, that the Riverhead Town Board hereby approves the attached Retainer Agreement from Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP., and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to execute the attached Retainer Agreement; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, Box 389, 456 Griffing Avenue, Riverhead, NY 11901, the Office of the Town Attorney and the Office of Accounting

THE VOTE
Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Tabled

10/01/02

TOWN OF RIVERHEAD

Resolution# 1049

AUTHORIZES THE SUPERVISOR TO EXECUTE CONSENT ORDER WITH T.S. HAULERS, INC., TERMINATING THE SAND MINING OPERATION AND ALLOWING RECLAMATION

Councilwoman Blass _____ offered the following resolution, which was seconded by Councilwoman Sanders

WHEREAS, in June of 2002, the Town of Riverhead commenced an enforcement action against T.S. Haulers, Inc., pursuant to Town Law §268(2) to temporarily restrain and permanently enjoin the company defendant from occupying and using the premises and structures at the northerly side of Middle Country Road (N.Y.S. Route 25), Calverton, New York (SCTM #0600-09-1-16.3 as follows: (a) for soil, sand/or gravel mining and/or processing operation with equipment storage buildings and office buildings; (b) as a processing facility for recognizable uncontaminated concrete, asphalt, pavement, brick, soil, or rock; (c) as a processing or storage facility for construction and demolition debris of any kind and (d) for any other purpose other than those enumerated in Riverhead Town Code Chapter 108, and

WHEREAS, on June 12, 2002, Supreme Court Justice Hon. Bromley Hall, granted the relief sought in the Town's application in its entirety, and

WHEREAS, T.S. Haulers has concluded its mining operation in accordance with the directives of the Court, but wishes to reclaim the property in accordance with the permit issued it by the New York State Department of Environmental Conservation, and

WHEREAS, the Town Board believes that it would be in the best interest of the community to allow the reclamation of the site so that it could be utilized for one of the allowed purposes in the Town's Industrial A zoning use district, and

WHEREAS, pursuant to the proposed stipulation, the Town would be entitled to enter the property at any time to determine compliance with the terms thereof, and

COUNCILWOMN BLASS OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCIL WOMAN SANDERS.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Lui	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS WAS NOT

Tabled

WHEREAS, the stipulation would be "so ordered" by Supreme Court Justice Hon. W. Bromley Hall so that violations thereof would be considered contempt of court, and

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute the attached stipulation, and be it further

RESOLVED, that the Town Attorney be and is hereby directed to forward a copy of the fully executed document to Hon. W. Bromley Hall so that it may be so ordered, and be it further,

RESOLVED, that a copy of this resolution be forwarded to the Office of the Town Attorney and Richard I. Scheyer, Esq., 110 Lake Avenue So., Suite 46, Nesconset, New York 11767

10/1/02

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1050

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE REGARDING HANDICAPPED CONCERNS IN THE TOWN OF RIVERHEAD

Councilman Densieski offered the following resolution, which was seconded by Councilwoman Blass

WHEREAS, it is the duty of the Handicapped Advisory Committee to address issues which effect handicapped persons in the the Town of Riverhead, and

WHEREAS, the members of the Handicapped Advisory Committee wish to hear the concerns of residents which may not have been recognized thus far.

THEREFORE, BE IT RESOLVED, that the Town Clerk be and is authorized to publish the attached public notice in the October 9, 2002 issue of the Suffolk County Life.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS ~~NOT~~ WAS NOT
 THEREFORE ~~IT~~ WAS ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF OPEN MEETING**

PLEASE TAKE NOTICE, that an open meeting will be held on the 21st day of October, 2002 at 10 o'clock a.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons regarding handicapped issues and concerns in the Town of Riverhead.

Dated: Riverhead, New York
October 1, 2002

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

RESOLUTION # 1051 ABSTRACT #38-02 SEPTEMBER 19, 2002 (TB 10/01/02)

offered the following Resolution which was seconded by

FUND NAME		CD 09/13/02	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 5,100,000.00	\$ 750,484.75	\$ 5,850,484.75
POLICE ATHLETIC LEAGUE	004	\$ 14,000.00	\$ -	\$ 14,000.00
TEEN CENTER	005	\$ 12,500.00	\$ 07.10	\$ 12,597.10
RECREATION PROGRAM	006	\$ 20,000.00	\$ 1,010.12	\$ 21,010.12
SR NUTRITION SITE COUNCIL	007	\$ 1,000.00	\$ -	\$ 1,000.00
D.A.R.E. PROGRAM FUND	008	\$ 1,200.00	\$ -	\$ 1,200.00
CHILD CARE CENTER BUILDING FUND	009	\$ 47,000.00	\$ 390.20	\$ 47,390.20
AG-FEST COMMITTEE FUND	021	\$ 4,000.00	\$ 300.00	\$ 4,300.00
HUMAN SERVICES FUND	022	\$ -	\$ -	\$ -
TOWN BD SPECIAL PROGRAM FND	024	\$ 200,000.00	\$ -	\$ 200,000.00
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ 10,000.00	\$ 2,293.95	\$ 12,293.95
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ 12,000.00	\$ 504.72	\$ 12,504.72
HIGHWAY	111	\$ 300,000.00	\$ 96,477.04	\$ 396,477.04
WATER	112	\$ 1,300,000.00	\$ 171,499.59	\$ 1,471,499.59
REPAIR & MAINTENANCE	113	\$ 1,600,000.00	\$ -	\$ 1,600,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 1,020,000.00	\$ 50,029.07	\$ 1,070,029.07
REFUSE & GARBAGE COLLECTION	115	\$ 518,000.00	\$ 0,940.50	\$ 524,940.50
STREET LIGHTING	116	\$ 410,000.00	\$ 20,109.83	\$ 430,109.83
PUBLIC PARKING	117	\$ 95,000.00	\$ 3,199.30	\$ 98,199.30
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 1,058.00	\$ 1,058.00
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 225,000.00	\$ 1,110.25	\$ 226,110.25
CALVERTON SEWER DISTRICT	124	\$ 35,000.00	\$ 1,070.03	\$ 36,070.03
RIVERHEAD SCAV WASTE DISTRICT	128	\$ 210,000.00	\$ 17,751.06	\$ 227,751.06
WORKER'S COMPENSATION FUND	173	\$ 1,035,000.00	\$ 4,854.20	\$ 1,039,854.20
RISK RETENTION FUND	175	\$ 75,000.00	\$ 4,213.75	\$ 79,213.75
UNEMPLOYMENT INSURANCE FUND	176	\$ 103,500.00	\$ -	\$ 103,500.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ -	\$ -
URBAN DEVEL CORP WORKING	182	\$ -	\$ 1,049.17	\$ 1,049.17
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	301	\$ 1,000.00	\$ -	\$ 1,000.00
SEWER DISTRICT DEBT	302	\$ 5,000.00	\$ -	\$ 5,000.00
WATER DEBT	303	\$ 510,000.00	\$ 370,020.00	\$ 880,020.00
GENERAL FUND DEBT SERVICE	304	\$ 8,800,000.00	\$ 1,401,498.07	\$ 10,201,498.07
SCAVENGER WASTE DEBT	305	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	400	\$ -	\$ 1,729,047.00	\$ 1,729,047.00
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ 250,000.00	\$ -	\$ 250,000.00
YOUTH SERVICES	452	\$ -	\$ 2,624.96	\$ 2,624.96
SENIORS HELPING SENIORS	453	\$ -	\$ 1,529.97	\$ 1,529.97
EISEP	454	\$ -	\$ 875.04	\$ 875.04
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 400,000.00	\$ 1,319.56	\$ 401,319.56
MUNICIPAL GARAGE	626	\$ 180,000.00	\$ 24,461.62	\$ 204,461.62
TRUST & AGENCY	735	\$ -	\$ 725,970.10	\$ 725,970.10
SPECIAL TRUST	736	\$ 625,000.00	\$ -	\$ 625,000.00
COMMUNITY PRESERVATION FUND	737	\$ 4,100,000.00	\$ -	\$ 4,100,000.00
CDA-CALVERTON	914	\$ 3,050,000.00	\$ -	\$ 3,050,000.00
COMMUNITY DEVELOPMENT AGENCY	915	\$ 130,000.00	\$ -	\$ 130,000.00
JOINT SCAVENGER WASTE	918	\$ 180,000.00	\$ -	\$ 180,000.00
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 31,479,200.00	\$ 5,517,510.50	\$ 36,996,710.50

THE VOTE
 Sanders Yes No Bless Yes No
 Denski Yes No Luf Yes No
 Kozakiewicz Yes No
 THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

RESOLUTION # <u>1051</u> ABSTRACT #39-02 SEPTEMBER 26, 2002 (TB 10/01/02)				
offered the following Resolution which was seconded by				
FUND NAME		CD NONE	CHECKRUM TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 60,561.57	\$ 60,561.57
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 109.99	\$ 109.99
TEEN CENTER	005	\$ -	\$ 308.20	\$ 308.20
RECREATION PROGRAM	008	\$ -	\$ 1,295.84	\$ 1,295.84
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ 838.11	\$ 838.11
HUMAN SERVICES FUND	022	\$ -	\$ -	\$ -
TOWN BD SPECIAL PROGRAM FND	024	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ -	\$ -
HIGHWAY	111	\$ -	\$ 17,001.00	\$ 17,001.00
WATER	112	\$ -	\$ 10,164.37	\$ 10,164.37
REPAIR & MAINTENANCE	113	\$ -	\$ 1,000.00	\$ 1,000.00
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 2,785.56	\$ 2,785.56
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 148,173.72	\$ 148,173.72
STREET LIGHTING	116	\$ -	\$ 184.42	\$ 184.42
PUBLIC PARKING	117	\$ -	\$ 1,011.90	\$ 1,011.90
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 313.00	\$ 313.00
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 127.81	\$ 127.81
CALVERTON SEWER DISTRICT	124	\$ -	\$ -	\$ -
RIVERHEAD SCAV WASTE DISTRICT	126	\$ -	\$ 20.80	\$ 20.80
WORKER'S COMPENSATION FUND	173	\$ -	\$ 11,153.81	\$ 11,153.81
RISK RETENTION FUND	175	\$ -	\$ 23,197.30	\$ 23,197.36
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ -	\$ -
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 173,490.92	\$ 173,490.92
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ -	\$ -
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ 4,540.50	\$ 4,540.50
MUNICIPAL GARAGE	626	\$ -	\$ 1,791.00	\$ 1,791.00
TRUST & AGENCY	735	\$ -	\$ 5,807.77	\$ 5,807.77
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ -	\$ -
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ -	\$ -
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 463,877.65	\$ 463,877.65

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS ~~NOT~~ ADOPTED

THEREUPON DULY ADOPTED

10/1/02

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1052

AUTHORIZES AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND ADJUSTMENT OF BUDGET

COUNCILMAN LULL

_____ offered the following resolution, which was

seconded by **COUNCILWOMAN SANDERS**

WHEREAS, the Town of Riverhead wishes to amend its FY2000 and FY99 Community Development Block Grant Programs; and

WHEREAS, in compliance with citizen participation requirements a public notice was published on September 11, 2002, to afford the public an opportunity to comment on the proposed amendment.

THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes submission of the proposed amendment by the Community Development Director to Suffolk County; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes a budget adjustment as follows:

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to Andrea Lohneiss, Community Development Director, Joe Sanseverino, Director, Suffolk County Community Development and John Hansen, Town of Riverhead Financial Administrator.

From:

181.086760.523000.06900 Child Care Improvements \$40,000

To:

181.08660.541162.06900 Historical Restorations - Fresh Pond Schoolhouse \$40,000

THE VOTE
Sanders Yes No Bliss Yes No
Donsieski Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

The Town of Riverhead Town Board, pursuant to 6NYCRR Part 617.9 (d), has prepared the Findings stated herein and shall cause them to be filed in accordance with 6NYCRR Part 617.10 (i).

Copies of this statement have been filed with:
New York State Department of Environmental Conservation
Secretary of State
Environmental Notice Bulletin
Supervisor, Town of Riverhead

October 7, 2002

SEORA FINDINGS REGARDING THE SPECIAL PERMIT PETITION OF J. DOUGLAS STARK AND AGNES STARK (GLENWOOD OAKS)

Councilman Lull offered the following resolution, and was seconded by Councilwoman Sanders

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from J. Douglas Stark and Agnes Stark (Glenwood Oaks) to allow the construction of ninety-nine (99) prefabricated dwellings upon real property located at County Road 58, Riverhead; such property more particularly described as SCTM# 0600-119-1-23; and

WHEREAS, by resolution number 825 of 1999 the Town Board did determine the action to be Type I with potentially adverse impacts to either the natural or social environment and that an Environment Impact Statement need be prepared; and

WHEREAS, a DEIS as prepared by En-Consultants, Inc. and dated August, 2001 was accepted by this Board and a hearing was held upon the DEIS on 19th September 2001; and

WHEREAS, by resolution dated 18th June 2002 this Board did accept the Final Environmental Impact Statement supporting the subject special permit as prepared by En-Consultants and dated February 2002; and

WHEREAS, the Planning Department has prepared a Draft Findings Statement upon the petition pursuant to 6NYCRR Part 617, which draft has been carefully considered by the Board.

NOW, THEREFORE BE IT

RESOLVED, that the Riverhead Town Board hereby adopts the attached statement of the findings of the Lead Agency with regard to the special permit petition of J. Douglas Stark and Agnes Stark.

BE IT FURTHER

RESOLVED, that the Planning Department be directed to publish and post those notices as required by 6NYCRR Part 617.

BE IT FURTHER

THE VOTE Sanders Yes No Blase Yes No Denisecki Yes No Lull Yes No Kozakowicz Yes No THE RESOLUTION WAS WAS NOT THEREUPON DULY ADOPTED

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department and the applicant or his agent and to forward the petition to the Riverhead Planning Board for this review and recommendation.

Planning/egr

State Environmental Quality Review
FINDINGS STATEMENT

Pursuant to Article 8 of the New York Environmental Conservation Law and 6 New York Codes, Rules and Regulations Part 617, the Town Board of the Town of Riverhead, as Lead Agency, hereby makes the following Findings Statement.

Name of Action: Special Permit Petition of Glenwood Oaks (Stark et al)

Lead Agency: Town of Riverhead
Town Board
200 Howell Avenue
Riverhead, NY 11901

Contact Person: Richard W. Hanley, Planning Director

Date Final EIS Filed: February 28, 2002

Introduction: This Findings Statement has been prepared pursuant to the requirements of 6NYCRR Part 617.9 which requires that no lead agency shall make a decision upon an action which has been subject to the preparation of an Environmental Impact Statement until such time as a Findings Statement has been prepared stating the facts and conclusions incorporated in the Environmental Impact Statement. In order to meet this requirement, the Riverhead Town Board has prepared these Findings related to the significant issues identified in the Environmental Impact Statement.

Description of Action: The expansion of a pre-existing, non-conforming mobile home part upon a parcel of 47 acres to allow the construction of 94 pre-fabricated residential retirement structures to be operated as a mobile home park.

Location of Action: The project site is located at Route 58, Riverhead, New York; such real property more particularly described as Suffolk County Tax Map Number 0600-119-1-p/o 23.

Potential Significant Impacts: The following is a compilation of the potentially significant impacts which the action poses to either the natural or social environment as identified in the scoping of the action, as well as in public hearings and appearances made by the petitioner before the Riverhead Town Board:

- i. potential impacts to hydrogeological resources – groundwater and surface water;
- ii. potential impacts to geological and soil resources;
- iii. potential impacts resulting from increased motor vehicle traffic;
- iv. potential impacts to public services;
- v. potential impact to archeological resources.

These Findings summarize the facts and conclusions of the Final Environmental Impact Statement as well as those independent environmental reviews of the project. The FEIS is the seminal document used to identify those activities considered to have significant environmental impacts and in the identification of those measures designed to mitigate such impacts. The commentary received from involved agencies and parties of interest were used in the assessment of environmental impact and in the formation of lead agency findings and conditions.

Facts, conclusions and mitigation measures contained within the EIS relied upon to support the Lead Agency decision: The following is a synopsis of the conclusions realized by the lead agency with respect to the environmental impacts associated with the subject action. These conclusions are based upon a review of the DEIS, the FEIS, public commentary, as well as all other relevant planning, zoning and environmental information.

1. Impacts to hydrogeological resources:

The property lies within Hydrogeological Zone III as mapped by the Suffolk County Department of Health Services which provides for a maximum sanitary flow of 300 gallons per day per acre, resulting in a maximum flow of 14,160 gallons per day for the site. The sanitary flow to be generated by the project is protected at 14,100 gallons per day which is in conformance with Article 6 of the Suffolk County Sanitary Code. Further, the project is to be connected to the Riverhead Sewer District for waste water collection and treatment mitigating potential impacts to groundwater.

The project site contains a wetland of 4.1 acres which is currently regulated by the New York State Department of Environmental Conservation through both Article 24 (Freshwater Wetlands) and the Wild, Scenic Recreational Rivers Act.

In order to protect the integrity of the wetland and any unique habitat which may exist, the project has been redesigned to maintain a minimum hard surface setback from the wetland edge and a maximum disturbance of ground of no more than 50% within a radius of 1,000 feet from the wetland. The required connection to the sewer district will mitigate potential impacts to the wetland and habitat which might result from individual septic systems.

2. Impacts to geological resources:

The project site is dominated by a combination of carver plymouth sand and cut and fill land neither of which present constraints to residential development. As a function of site planning any excavation of berryland mucky sand will be avoided.

The lead agency required a graphic depiction of areas exhibiting slopes of 15% or greater. It is the finding of the lead agency that all slopes of 15% shall remain undisturbed.

3. Impacts resulting from motor vehicle trips:

The FEIS supporting the project contains a traffic assessment study which assessed existing motor vehicle movements, as well as a trip generation projection resulting from the build condition.

It is the finding of the lead agency that the motor vehicle traffic generated by the project at peak hours will not decrease the level of service of any of the following intersections:

- i. Route 58 and Mill Road;
- ii. Mill Road and Hinda Boulevard;
- iii. Mill Road and Route 25;
- iv. Route 58 and Kroemer Avenue.

The Lead Agency further finds that access to the site during the construction phase shall be limited to access from Route 58.

4. Impacts to public and community services:

In order to mitigate potential impacts to groundwater and surface water resulting from private sanitary systems, the development is to connect to the appurtenances of the Riverhead Sewer District. The subject parcel currently lies within the district and the capacity exists to collect and treat the expected sanitary flow of 14,100 gallons per day.

Conclusions and Generic Findings: Based upon the information contained within the FEIS, as outlined in these Findings, the Riverhead Town Board hereby finds that the special permit petition of Glenwood Oaks is supported by this Findings Statement and minimizes potential environmental impacts to the natural and social environment and will provide the necessary balance between the protection of the environment and the need to accommodate social and economic considerations.

Therefore, having considered the special permit petition, the DEIS, the FEIS and having further considered the foregoing written facts and conclusions relied upon to meet the requirements of 6NYCRR Part 617.9, this statement of Findings certifies that:

1. The requirements of 6NYCRR Part 617 have been met;
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the proposed action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable, including the effects disclosed in the Environmental Impact Statement;
3. Consistent with social, economic and other essential considerations to the maximum extent practicable, adverse environmental effects revealed in the environmental impact review process will be minimized or avoided by the approval of the petition those mitigative measures which are practicable contained herein;
4. This action is consistent with applicable policies or Article 42 of the Executive Law as implemented by 19NYCRR 600.5;