TOWN BOARD MEETING AGENDA

PHILIP CARDINALE, Supervisor

October 5, 2004

Edward Densieski, Councilman
George Bartunek, Councilman

Barbara Blass, Councilwoman
Rose Sanders, Councilwoman

Barbara Grattan, Town Clerk
Dawn Thomas, Town Attorney

ELECTED OFFICIALS

Laverne Tennenberg	Chairwoman Board of Assessors
Madelyn Sendlewski	Board of Assessors
Paul Leszczynski	Board of Assessors
Mark Kwasna	Highway Superintendent
Maryann Wowak Heilbrunn	Receiver of Taxes
Richard Ehlers	Town Justice
Allen M. Smith	Town Justice

DEPARTMENT HEADS

John J. Hansen	Accounting Department
Leroy E. Barnes, Jr.	Building Department
Andrea Lohneiss	Community Development
Ken Testa	Engineering Department
Richard Hanley	Planning Department
Chief David Hegermiller	Police Department
James Janecek	Recreation Program Coordinator
Judy Doll	Senior Services
John Reeve	Sanitation Department
Michael Reichel	Sewer District
Gary Pendzick	Water Department

#928 Authorizes Town Clerk to Publish and Post Public Notice to Consider the Incorporation of Certain Private Road into the Town of Riverheads Highway System Pursuant to New York State Highway Law Section 189-Highways by Use

#929 Authorizes Town Clerk to Publish and Post a Notice of Public Meetings Schedule for the Open Space Committee

#930 Approves Chapter 90 Application of Abbess Farm (Marie Tooker)

#931 2004 Recreation Capital Project Improvement Project Budget Adjustment

#932 Awards Bid for 28 Foot Diameter Steel Gazebo for Lombardi Park

#933 Memorializing Resolution in Opposition to Suffolk County's Proposed Protocol for Emergency Medical Services (EMS) and Public Safety Answering Point (PSAP)

#934 Amends Town of Riverhead Zoning Use District Schedule (Business Center, Shopping Center and Destination Retail Center Zoning Use Districts)

#935 Amends Zoning Map, Town of Riverhead, Suffolk County, NY

#936 Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Destination Retail Center Zoning Use District)

#937 Authorizes the Town Clerk to Publish a Public Notice for Public Hearing to Consider the Repeal of Certain Section of Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Business A, Business B, Business C, Business D, Office/Service, Business G, Industrial A, Industrial B, Defense Institutional)

#938 Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Shopping Center Zoning Use District)

#939 Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Business Center Zoning Use District)

#940 Accepts Cash Security of Alexander-Tuthill Funeral Home, Inc. Parking Lot Expansion)

#941 Extends Bid for Diesel Fuel

#942 Pays Bills

#943 Approves Amended Site Plan of Wading River Professional Buildings (James Tsunis)

OCTOBER 5, 2004

Adopted

TOWN OF RIVERHEAD

201 HOWELL AVE. TOWN HALL ANNEX PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 900

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

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

		FROM	TO
406.036200.524300.40114	OFFICE EQUIPMENT	$15,000	
406.036200.523011.40144	BUILDING IMPROVEMENT		$15,000

THE VOTE

Bartunek [X] **Yes** [ ] **No** **Sanders** [X] **Yes** [ ] **No**

Blass [X] **Yes** [ ] **No** **Densieski** [X] **Yes** [ ] **No**

Cardinale [X] **Yes** [ ] **No**

OCTOBER 5, 2004

Adopted

TOWN OF RIVERHEAD

MIDDLE ROAD, OSBORNE & HORTON AVE.

ROUNDABOUT PROJECT

BUDGET ADOPTION

RESOLUTION # 901

COUNCILWOMAN SANDERS 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 adoption:

		FROM	TO
406.051100.487451.45088	TRANSFER FROM CHIPS PROGRAM	$10,000	
406.051100.543502.45088	ENGINEERING EXP.		$10,000

THE VOTE

Bartunek ☒ **Yes** ☐ **No** **Sanders** ☒ **Yes** ☐ **No**

Blass ☒ **Yes** ☐ **No** **Densieski** ☒ **Yes** ☐ **No**

Cardinale ☒ **Yes** ☐ **No**

Z:\Budget Adopt.TBM\10.05.04.TBM\Middle Road,Osborne.Horton.doc

10/05/04

Adopted

TOWN OF RIVERHEAD

Resolution # 902

ACCEPTS 5% SECURITY BOND OF CELLULAR TELEPHONE COMPANY, AN NEW YORK PARTNERSHIP D/B/A AT & T WIRELESS SERICES, INC. (OLD COUNTRY ROAD, RIVERHEAD)

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by **COUNCILMAN BARTUNEK**

WHEREAS, Cellular Telephone Company d/b/a AT & T Wireless Services, Inc. has posted a security bond in the sum of Five Thousand Dollars ($5,000) Bond No. CMS 221015 representing the 5% site plan security bond as noted in the approved site plan dated July 20, 2004 Resolution #660 for work located at Old Country Road, Riverhead Water District Water Tank, Riverhead, New York, Suffolk County Tax Map # 600-84.-1-8 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said security 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 Five Thousand Dollars ($5,000) 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 Jacalyn R Fleming, Munley, Meade, Nielsen & Re', 36 North New York Avenue, Huntington, New York 11743, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

I:\Building\2004\bonds\CellularTel.AT&T.Route58.doc

10/05/04

Adopted

TOWN OF RIVERHEAD

Resolution # 903

ACCEPTS 5% SECURITY BOND OF TERRY CONTRACTING AND MATERIALS, INC.

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

WHEREAS, Terry Contracting & Materials, Inc. has posted a security bond (6261585) in the sum of Nineteen Thousand Nine Hundred Seventy Dollars ($19,970) representing the 5% site plan security bond as noted in the approved site plan dated May 2, 1995 Resolution #307 for work located at 840-844 West Main Street, Riverhead, New York, Suffolk County Tax Map # 600-124.-3-8 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said security 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 Nineteen Thousand Nine Hundred Seventy Dollars ($19,970) 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 Terry Contracting and Materials, Inc, 840 West Main Street, Riverhead, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

I:\Building\2004\bonds\TerryContrg.doc

10/05/04

Adopted

TOWN OF RIVERHEAD

Resolution # 904

ACCEPTS IRREVOCABLE LETTER OF CREDIT OF JARAL RIVERHEAD CORP (TC 58 CORP)

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, Jaral Riverhead Corp. has posted an Irrevocable Letter of Credit (HSBC #SDCMTN547753) in the sum of Two Hundred Sixteen Thousand Seventy Two Dollars ($216, 072) representing the 5% site plan bond as noted in the approved site plan dated October 7, 2003 Resolution #1117 for Holiday Inn Express located at Old Country Road, Riverhead, New York - Suffolk County Tax Map # 600- 119.-1-9.1 and 9.2 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said letter of credit 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 letter of credit in the sum of Two Hundred Sixteen Thousand Seventy Two Dollars ($216,072) 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 Jack C Becker, 1050 Franklin Avenue, Garden City, New York 11530, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

I:\Building\2004\bonds\TC58.HolidayInn.doc

October 5, 2004

TOWN OF RIVERHEAD

Adopted

Resolution # 905

ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS
(Reginald Farr and Connie Farr)

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

WHEREAS, the Riverhead Farmland Preservation Committee ("the Committee") has received an offer for the sale of development rights from Reginald Farr and Connie Farr, consisting of approximately 19.6 acres of their agricultural lands located on the northerly side of Deep Hole Road (east of Twomey Avenue) and the southerly side of Youngs Avenue, Calverton, New York, at $39,500 per acre, further described as Suffolk County Tax Map #0600-80-1- p/o 3.1, to the Town of Riverhead, which parcel is zoned Agricultural Protection Zone; and

WHEREAS, the Committee has commissioned an appraisal of the value of development rights inherent in the subject real property; and

WHEREAS, the Committee has assessed the subject real property with respect to the criteria provided in the Agricultural Preservation Law and has formally recommended that the Town Board of the Town of Riverhead consider the purchase of development rights from this property; and

WHEREAS, the Town Board has carefully considered the merits of the offer of sale of development rights, the report of the Peconic Land Trust, the appraisal of development rights by Given Associates, the report of the Farmland Preservation Committee, the criteria set forth in the agricultural preservation law and all other pertinent planning, zoning and environmental information; and

WHEREAS, the Town Board finds that the acquisition of the development rights on the subject parcel is the best alternative for the protection of community character of all reasonable alternatives available to the Town.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby accepts the offer of sale of development rights from the subject real property of Reginald Farr and Connie Farr, pursuant to Chapter 14 and Chapter 44, Section 44-5 B(2) of the Code of the Town of Riverhead; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract for purchase of development rights from the subject property in an amount not to exceed Thirty-nine thousand five hundred dollars per acre ($39,500.00); and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Murray Schneps, PO Box 716, Aquebogue, NY 11931; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie Westnofske, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11968; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Office of the Town Attorney.

THE VOTE
Bartunek ✓ yes ___ no Sanders ✓ yes ___ no
Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no
THE RESOLUTION ✓ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

W:\Sean Walter\Purchase of Dev and open Space\Farr\accept Farr.doc

OCTOBER 5, 2004

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF DEPUTY TOWN ATTORNEY

RESOLUTION # 906

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

WHEREAS, Scott DeSimone has notified the Town Attorney of his resignation from the position of Deputy Town Attorney effective September 24, 2004.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of Scott DeSimone.

BE IT FURTHER, RESOLVED, that the Town Clerk be, and is hereby, directed to forward a Certified Copy of this Resolution to Scott DeSimone, the Town Attorney's Office and the Office of Accounting.

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

Adopted

10/5/04

TOWN OF RIVERHEAD

Resolution # 907

ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE

COUNCILMAN DENSIESKI 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 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 7th day of September, 2004 at 7:20 o'clock p.m. at Wading River Congregational Church, North Country Road, Wading River, 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 the local law amending Chapter 101 entitled, "Vehicles & Traffic" 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 News Review and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Highway Department and the Police Department and Town Attorney.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no
Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no
THE RESOLUTION ✓ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

W:\Laura Calamita\reso\101-3stopsign.ado.doc

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 101 entitled, " Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on October 5, 2004 as follows:

§ 101-3. Stop and yield intersections; railroad crossings; parking fields.

A. Stop intersections. The following intersections are designated as stop intersections, and stop signs shall be erected at such intersections as follows:

Intersection	Stop Sign On	Entrance From
Church Lane	Phillips Lane	North

Dated: Riverhead, New York
October 5, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

W:\Laura Calamita\reso\101-3stopsign.ado.doc

10/5/04

Adopted

TOWN OF RIVERHEAD

Resolution # 908

ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE

COUNCILWOMAN SANDERS 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 amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 21st day of September, 2004 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 the local law amending Chapter 101 entitled, "Vehicles & Traffic" 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 News Review and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Highway Department; the Police Department and the Office of the Town Attorney.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

W:\Laura Calamita\reso\101-3ado.doc

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 101 entitled, " Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on October 5, 2004 as follows:

§ 101-3. Stop and yield intersections; railroad crossings; parking fields.

A. Stop intersections. The following intersections are designated as stop intersections, and stop signs shall be erected at such intersections as follows:

Intersection	**Stop Sign On**	**Entrance From**
Sound Avenue	Osborne Avenue (left turning lane)	South
Sound Avenue	Osborne Avenue (right turning lane)	South
Osborne Avenue	Osborne Avenue	North

Dated: Riverhead, New York
October 5, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

W:\Laura Calamita\reso\101-3ado.doc

10/5/04

Adopted

TOWN OF RIVERHEAD

Resolution # 909

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (Article XIII, Supplementary Use Regulations, §108-54 Municipal buildings, hospitals, public utility buildings and structures)

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN BARTUNEK:

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

WHEREAS, a public hearing was held on the 7th day of September, 2004 at 7:35 o'clock p.m. at Wading River Congregational Church, North Country Road, Wading River, 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 amend 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 News Review newspaper 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; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

X:\Chris\legislation\Section108-54.Adopt

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on October 5, 2004 as follows:

108-54. Municipal buildings, hospitals, public utility buildings and structures.

A. Municipal buildings and hospitals shall be permitted in all districts, provided that such buildings shall conform to all other provisions of this chapter for the district in which located.

B. Public utility buildings and structures shall be permitted in all districts when approved ~~as a special exception by the Board of Appeals as herein provided.~~ by special permit of the Town Board upon a finding by the Board that adequate buffers exist to minimize impacts upon adjacent parcels and taking into account, among other things, the existing and permitted uses in the surrounding community

Dated: Riverhead, New York
October 5, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)
- Overstrike represents deletion(s)

X:\Chris\legislation\Section108-54.Adopt

10/5/04

Adopted

TOWN OF RIVERHEAD

Resolution # 910

APPOINTS A P/T RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Gabriela Seymore is hereby appointed to serve as a P/T Recreation Aide, effective October 7 th, 2004, to serve as needed on an at will basis and to be paid at the rate of $7.50 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

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no
Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no
THE RESOLUTION ✓ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

[1] Rec./ Doris:Res p/tRec Aide Gabriela Seymore

10/5/04

Adopted

TOWN OF RIVERHEAD

Resolution # 911

APPROVES 2-ME PLUMBING & HEATING AS DRAINLAYER FOR RIVERHEAD SEWER DISTRICT

COUNCILMAN DENSIESKI offered the following resolution, was seconded by COUNCILWOMAN SANDERS:

WHEREAS, pursuant to Section 88-3 of the Riverhead Town Code, 2-Me Plumbing & Heating has submitted a request to become an authorized drainlayer with the Town of Riverhead Sewer District; and

WHEREAS, a letter of credit has been posted and a Certificate of Insurance has been received naming the Town of Riverhead as an additional insured.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves, 2-Me Plumbing & Heating as an authorized drainlayer with the Town of Riverhead Sewer District; and further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to 2-Me Plumbing & Heating, 130 2nd Street, P.O. Box 314, S. Jamesport, New York, 11970; Michael Reichel, Sewer District Superintendent; Office of the Town Attorney and the Accounting Department.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

W:\Laura Calamita\Sewer\drain.res.doc

10/5/04

Adopted

TOWN OF RIVERHEAD

Resolution #912

APPROVES CHAPTER 90 APPLICATION OF PECONIC BAY REGION OF THE ANTIQUE AUTOMOBILE CLUB OF AMERICA

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

WHEREAS, Peconic Bay Region AACA has submitted a Chapter 90 application for the purpose of conducting an antique car show to be held on the grounds of the Hallockville Museum Farm at 6038 Sound Avenue, Riverhead, New York, on October 17, 2004, having a rain date of October 24, 2004, between hours of 8:00 a.m. and 5:00 p.m.; and

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

WHEREAS, a letter has been received from the Hallockville Museum Farm granting permission for the use of their site for this event; and

WHEREAS, the Chapter 90 Application Fee of $200.00 has been paid; and

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

NOW THEREFORE BE IT RESOLVED, that the application of Peconic Bay Region AACA for the purpose of conducting an antique car show to be held on the grounds of Hallockville Museum Farm at 6038 Sound Avenue, Riverhead, New York, on October 17, 2004, having a rain date of October 24, 2004, between hours of 8:00 a.m. and 5:00 p.m. is hereby approved; and be it further

RESOLVED, that this approval is subject to Riverhead Town Code Chapter 81 entitled, "Noise Control" and that applicant shall not exceed the noise limits as defined in Section 81-5 Prohibited Acts. and any other section(s) of the Riverhead Town Code that may apply to this event; and be further

RESOLVED, that a fire safety inspection by the 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 Peconic Bay Region AACA, 21 Silver Beech Lane, Calverton, New York, 11933; the Riverhead fire Marshal; Chief Hegermiller, Riverhead Police Department and the Office of the Town Attorney.

abstain THE VOTE

Bartunek ___ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✕ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

W:\Laura Calamita\chap90\PeconicAACA.res.doc

10/5/04

Adopted

TOWN OF RIVERHEAD

Resolution # 913

APPROVES CHAPTER 90 APPLICATION OF THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT (OCTOBERFEST CELEBRATION)

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN SANDERS:

WHEREAS, the Riverhead Business Improvement District Management Association on behalf of the Riverhead Business Improvement District has submitted a Chapter 90 application for the purpose of conducting an Octoberfest Celebration to be held in the Peconic Riverfront Parking Lot, Riverhead, New York, to be held on Saturday, October 16, 2004 between the hours of 1:00 p.m. and 6:00 p.m.; and

WHEREAS, due to the Riverhead Business Improvements District Management Association's not-for-profit status, they have requested the application fee be waived; 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 regarding said application.

NOW THEREFORE BE IT RESOLVED, that the Chapter 90 application of the Riverhead Business Improvement District for the purpose of conducting an Octoberfest Celebration to be held in the Peconic Riverfront Parking Lot, Riverhead, New York, to be held on Saturday, October 16, 2004 between the hours of 1:00 p.m. and 6:00 p.m. is hereby approved; and be it further

RESOLVED, that a fire safety inspection by the 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 Board of the Town of Riverhead hereby waives the Chapter 90 application fee; and be it further

c:\\msword\Laura\chap90\Bid.res

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Business Improvement District Management Association, P.O. Box 913, 112 West Main Street, Riverhead, New York, 11901; the Riverhead Fire Marshal; Ken Testa, P.E. and the Riverhead Police Department.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

c:\\msword\Laura\chap90\Bid.res

10/5/04

Adopted

TOWN OF RIVERHEAD

Resolution # 914

AUTHORIZES SEWER DISTRICT EMPLOYEE TO ATTEND COURSE

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, SUNY Morrisville is sponsoring Wastewater Operator Certification Courses having a specific course entitled, "Management" to be held on October 18, 2004 through October 21, 2004; and

WHEREAS, it is the desire of Michael Reichel, Sewer District Superintendent, that Sewer District Employee Tim Allen attend such course.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes Sewer District Employee Tim Allen to attend the aforementioned course to be held at SUNY Morrisville on October 18, 2004 through October 21, 2004; and be it further

RESOLVED, that all related expenses incurred by the Sewer District Employee will be fully receipted upon his return, not to exceed a total cost of $1,100.00, and thereafter reimbursed by the Accounting Department; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Michael Reichel, Sewer District Superintendent and the Office of Accounting.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

W:\Laura Calamita\Sewer\attend.res.doc

10/05/04

STATUS Adopted

TOWN OF RIVERHEAD

Resolution # 915

AUTHORIZES THE ATTENDANCE OF TWO POLICE OFFICERS TO THE NEW YORK HIGHWAY SAFETY CONFERENCE

COUNCILMAN DENSIESKI offered the following resolution, which was

seconded by COUNCILWOMAN SANDERS

WHEREAS, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of two police officers to attend the New York Highway Safety Conference Seminar; and,

WHEREAS, the seminar will be held at the Broome County Police Academy in Binghamton, New York, October 17 – 20, 2004.

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of two police officers at the aforementioned seminar; and,

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes reimbursement of expenses, not to exceed $825.00 (includes registration, lodging, meals, tolls and miscellaneous expenses for 3 nights) upon proper submission of receipts; and,

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

THE VOTE

Sanders ☒Yes ☐No Blass ☒Yes ☐No

Densieski ☒Yes ☐No Bartunek ☒Yes ☐No

Cardinale ☒Yes ☐No

The Resolution Was ☒ Was Not ☐

Thereupon Duly Declared Adopted

C:\Vourakis\Purchasing\Purchasing\RESOLUTIONS.docC:\Vourakis\Purchasing\Purchasing\RESOLUTIONS.doc

10/5/04

Adopted

TOWN OF RIVERHEAD

Resolution # 916

AUTHORIZES THE DESIGNATION OF CERTAIN STRUCTURE(S) AS LANDMARKS PURSUANT TO CHAPTER 73 ENTITLED, "LANDMARKS PRESERVATION" 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 the designation of the following structures as landmarks:

Suffolk Theater	Suffolk County Tax Map #0600-129-1-7
Gandalf House	Suffolk County Tax Map #0600-48-4-2
Howell House Suffolk	Suffolk County Tax Map #0600-129-5-1; and

WHEREAS, a public hearing was held on the 7th day of September, 2004 at 7:10 o'clock p.m. at the Wading River Congregational Church, North Country Road, Wading River, 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 the Town Board of the Town of Riverhead hereby designates the aforementioned structures as landmarks pursuant to chapter 73 "Landmarks Preservation", of the Riverhead Town Code be 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 News Review newspaper and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk 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.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no
Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

W:\Laura Calamita\reso\ch73.ado.doc

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a resolution pursuant to Chapter 73 entitled, "Landmarks Preservation" of the Riverhead Town Code at its regular meeting held on October 5, 2004 designating the following structures as landmarks:

Suffolk Theater	Suffolk County Tax Map #0600-129-1-7
Gandalf House	Suffolk County Tax Map #0600-48-4-2
Howell House Suffolk	Suffolk County Tax Map #0600-129-5-1

Dated: Riverhead, New York
October 5, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

W:\Laura Calamita\reso\ch73.ado.doc

10/05/04

Adopted

TOWN OF RIVERHEAD

Resolution # 917

AUTHORIZES THE RELEASE OF A CASH SECURITY FOR WINKAL HOLDING LLC (CRAIG'S OAK AND MORE)

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by **COUNCILMAN BARTUNEK**

WHEREAS, Winkal Management, LLC posted a security, check #42128 receipt #33810 dated December 4, 2003, in the sum of Twelve Thousand Six Hundred Dollars ($12,600) pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction, the Planning Department is satisfied with the site work completed and Certificate of Occupancy #1063 for ZB27441 dated September 14, 2004 has been issued for said construction.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the security (check #42128) in the sum of Twelve Thousand Six Hundred Dollars ($12,600) and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to David Lantz, LSM Development Corp., 20 Meadow Lane, Riverhead, New York 11901, the Building Department; the Accounting Department, the Town Clerk and the Town Attorney's Office.

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

I:\Building\2004\bonds\Craig'sOak.release.doc

10/05/04

Adopted

TOWN OF RIVERHEAD

Resolution # 918

AUTHORIZES THE RELEASE OF PERFORMANCE BOND FOR CARGEX PROPERTIES (FEDERAL EXPRESS BUILDING)

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by **COUNCILWOMAN SANDERS**

WHEREAS, Cargex Properties posted a performance bond (Fireman's Fund Insurance Company #11141690997) in the sum of Ninety Thousand Dollars ($90,000) pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that the construction has been completed to the Building Department's satisfaction and Certificate of Occupancy #19081 (ZB22546) dated September 23, 2004 has been issued for said construction.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the performance bond (#11141690997) in the sum of Ninety Thousand Dollars ($90,000) and upon satisfactory evidence of the recordation of the offer of dedication along Edwards Avenue as recorded in the office of the Suffolk County Clerk.

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Cargex Properties, c/o J Petrocelli Contracting, Inc., 100 Comac Street, Ronkonkoma, New York 11779, the Building Department and the Town Attorney's Office.

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

I:\Building\ResolutionDates\Oct.5\Cargex.FedX.doc

10/05/04

Adopted

TOWN OF RIVERHEAD

Resolution # 919

AUTHORIZES THE RELEASE OF SECURITY FOR R & K PRESCISION AUTOWORKS, INC.

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI**

WHEREAS, R & K Precision Autoworks, Inc., posted a security, in the form of a Certificate of Deposit #591012552, in the sum of Two Thousand One Hundred Dollars ($2,100) pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction, the Planning Department is satisfied with the site work completed and Certificate of Occupancy #18303 dated October 27, 2003 for ZB21783 has been issued for said construction.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the Certificate of Deposit (#591012552) in the sum of Two Thousand One Hundred Dollars ($2,100) and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to R & K Precision Autoworks Inc. , Richard Vlacci, 3214 Sound Avenue, Riverhead, New York 11901, the Building Department and the Town Attorney's Office.

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

I:\Building\2004\bonds\04.release.CD.doc

OCTOBER 5, 2004

Adopted

TOWN OF RIVERHEAD

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD FOR A LEGAL STENOGRAPHER IN THE TOWN ATTORNEY'S OFFICE

RESOLUTION # 920

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

RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the October 14, 2004 issue of The News Review;

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve in the position of Legal Stenographer in the Town Attorney's Office. The hours for this position will be Monday-Friday from 8:30am to 4:30pm. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. No applications will be accepted after 4:00 p.m. on October 22, 2004. The Town of Riverhead does not discriminate on the basis of age, race, color, national origin, sex or handicapped status in the employment or provision of services.

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

10/5/04

Adopted

Town of Riverhead

Resolution # 921

Authorizes Town Clerk to Publish and Post Notice for Public Hearing Regarding Community Development Block Grant (CDBG) Funds.

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

WHEREAS, the Town of Riverhead has an ongoing CDBG Program and plans to prepare an application for CDBG Funds for Fiscal Year 2005; and

WHEREAS, the Town wishes to solicit comments from the public with regard to the development of said application; and

WHEREAS, the public hearing has been scheduled for comment on November 3, 2004; and

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes publishing and posting of the attached public notice of public hearing as a legal advertisement in the Thursday, October 14, 2004, issue of the News Review and to post same on the signboard in Town Hall.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Suffolk County Community Development Director Joseph T. Sanseverino and Community Development Director Andrea Lohneiss.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD
PUBLIC NOTICE

Please take notice that a public hearing will be held on the 3rd day of November, 2004, at 2:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the development of the Town of Riverhead's Community Development Block Grant Application for Fiscal Year 2005.

Eligible categories for Community Development funding include:

1. Acquisition and demolition of Real Property;
2. Public Facilities and Improvements;
3. Housing Rehabilitation;
4. Historical Preservation;
5. Public Water or Sewer Projects;
6. Removal of Architectural Barriers;
7. Administration Activities

The hearing will provide citizens of the Town of Riverhead the opportunity to comment upon the development of the proposed application as well as the performance of any active Community Development Block Grant. Further information concerning the Community Development Program can be obtained at Riverhead Town Hall, Community Development Office, 200 Howell Avenue, Riverhead, NY 11901, (631) 727-3200 ext. 287.

A County-wide public hearing will be scheduled at a later date for final review and comments on the overall Community Development Department Program prior to submission to the United State Department of Housing and Urban and Development.

Dated: October 14, 2004

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

BARBARA GRATTAN, TOWN CLERK

October 5, 2004

Adopted

TOWN OF RIVERHEAD

Resolution # 922

REFERS SPECIAL PERMIT PETITION OF JET REPAIR AND TOWING TO THE PLANNING BOARD

Councilwoman Blass offered the following resolution which

was seconded by Councilman Densieski

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Patricia Zinna Burton, pursuant to Section 108-48B.(12) and Article XXVIA. of the Riverhead Town Code to use existing improvements as a motor vehicle repair and towing facility on a 2.34ac. parcel zoned Industrial B; such property more particularly described as SCTM 0600-131-1-1.1, and

WHEREAS, a Full Environmental Assessment Form and supporting documentation was submitted as part of the petition, and

WHEREAS, the Town Board desires the recommendations of the Riverhead Planning Board respecting planning and zoning issues, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declares itself to be the lead agency for the special permit application of Jet Repair and Towing pursuant to 6NYCRR Part 617, and

BE IT FURTHER

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

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

Planning/JBH

Adopted

October 5, 2004

TOWN OF RIVERHEAD

RATIFIES APPOINTMENT OF GUARD IN THE SANITATION DEPARTMENT

RESOLUTION # 923

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

WHEREAS, the position exists for a guard in the Sanitation Department; and

NOW, THEREFORE, BE IT RESOLVED, that effective September 5, 2004, the Town Board hereby authorizes the appointment of a current Town Employees to serve as a guard. Janice McKenna is hereby appointed to the position of Guard in the Yard Waste Facility for the Sanitation Department at the hourly rate of pay of $13.1617; and

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

THE VOTE

Bartuneck ☒ **Yes** ☐ **No** **Sanders** ☒ **Yes** ☐ **No**

Blass ☒ **Yes** ☐ **No** **Densieski** ☒ **Yes** ☐ **No**

Cardinale ☒ **Yes** ☐ **No**

Z:\Resolutions\Employment\RES.SANITATION DEPT.GUARDS.mckenna.doc/cad

10/05/04

Adopted

TOWN OF RIVERHEAD

Resolution # 924

RATIFIES CORRECTION TO RESOLUTION #897 OF 2004

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

WHEREAS, the Town of Riverhead adopted resolution 897 of 2004 scheduling a public hearing to consider an amendment to the Town of Riverhead Zoning Map, and

WHEREAS, the scheduling hearing date of October 5, 2004 did not provide adequate notice to the public of the hearing, and;

WHEREAS, the public hearing notice was corrected to schedule the hearing for October 19th, 2004 at 7:25 p.m.

NOW, THEREFORE, BE IT

RESOLVED that Town Board hereby ratifies the correction to resolution 897 of 2004, and

BE IT FURTHER

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Town Attorney's Office.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no
Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no
THE RESOLUTION ✓ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

10/5/04

Tabled

TOWN OF RIVERHEAD

Resolution # 925

RESOLUTION AND CONSENT APPROVING THE DEDICATION OF HIGHWAYS KNOWN AS CLIFF ROAD, CEDAR ROAD, LOCUST ROAD, RAVINE ROAD, OAK ROAD AND DOGWOOD ROAD

COUNCILMAN DENSIESKI offered the following resolution, was seconded by COUNCILMAN BARTUNEK:

At a regular meeting of the Town Board of the Town of Riverhead, in the County of Suffolk, State of New York, held at 200 Howell Avenue, Riverhead, New York on the 5th day of October, 2004.

PRESENT:

Hon. Philip Cardinale, Supervisor
Edward Densieski, Councilman
George Bartunek, Councilman
Barbara Blass, Councilwoman
Rose Sanders, Councilwoman

X

In the Matter of the Dedication of Certain Highways in the Town of Riverhead, County of Suffolk and State of New York, Known as

CLIFF ROAD, CEDAR ROAD, LOCUST ROAD, RAVINE ROAD OAK ROAD AND DOGWOOD ROAD

RESOLUTION AND CONSENT

X

WHEREAS, a certain subdivision map was filed in the Office of the Clerk of the County of Suffolk, known as "Map of Wildwood Hills for J. Alonzo Hulse, Wading River, Town of Riverhead, Suffolk County, NY", filed on July 29, 1936 as File Map #1210 and "Map of Wildwood Hill, Section 2, Wading River, Town of Riverhead, Suffolk County, NY" made by Alden W. Young, C.E., Riverhead, New York, dated September 16, 1950

and filed in the Office of the Clerk of Suffolk County on January 22, 1951 as Map No. 1814; and

WHEREAS, a copy of the letter from the Superintendent of Highways indicating his consent is annexed hereto and made a part hereof; and

WHEREAS, a special search street dedication from Commonwealth Land Title Insurance Company under Title No. RH-80031120, has been filed with the Clerk of the Town of Riverhead, together with a deed of dedication and release affecting said roads, drainage systems, sumps and/or other improvements.

NOW THEREFORE BE IT RESOLVED, that in accordance with the provisions of Section 171 of the **Highway Law** of the State of New York, consent be and the same is hereby given that the Superintendent of Highways of the Town of Riverhead, make an order laying out certain roads known as **CLIFF ROAD, CEDAR ROAD, LOCUST ROAD, RAVINE ROAD, OAK ROAD AND DOGWOOD ROAD,** the said Town roads to consist of the land described in the deed of dedication dated the 31st day of May, 2004 and to extend same as delineated therein; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby directed to forthwith cause such deeds of dedication to be recorded in the Office of the Clerk of the County of Suffolk, and upon its return, to attach it hereto; and be it further

RESOLVED, that this resolution shall take effect immediately; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Linda M. Dieterich, Esq., 805 Roanoke Avenue, Riverhead, New York, 11901; the Riverhead Superintendent of Highways; the Planning Board; the Planning Department; the Assessor's Office; the Tax Receiver's Office and the Town Attorney's Office.

Dated: Riverhead, New York
October 5, 2004

TOWN BOARD OF THE
TOWN OF RIVERHEAD

_____
PHILIP CARDINALE

_____
EDWARD DENSIESKI

W:\Laura Calamita\highways\Wildwoodhillsres&consent.doc

BARBARA BLASS

ROSE SANDERS

GEORGE BARTUNEK

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ~~ADOPTED~~

Tabled

W:\Laura Calamita\highways\Wildwoodhillsres&consent.doc

10/5/04

Town of Riverhead

Adopted

Resolution # 926

Authorizes Match for Empire Zone Administration

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI:

WHEREAS, a portion of the Calverton Enterprise Park and downtown Riverhead is a designated as an Empire Zone pursuant to Article 18B pf the General Municipal Law, as amended; and

WHEREAS, implementation of the Empire Zone program requires certain actions by the applicant municipalities, including the minimum provision of matching funds for the appropriated state funds; and

WHEREAS, for the state budget year July 2004 to June 2005, New York State will provide a grant in the amount of $15,000 with the potential to provide up to a maximum of $40,000; and

WHEREAS, contributions to the local match for administration of the zone will be provided by Suffolk County in the amount of $29,000, the Town of Babylon in the amount of $25,000 and the Town of Southampton in the amount of $1,000.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Board authorizes matching funds in the amount of $29,000 for administration of the Suffolk County / Town of Riverhead Empire Zone for a total local match of $84,000.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss, Empire Zone Coordinator Tracy Stark, Zone Administrative Board Chairman Kevin Law and Financial Administrator Jack Hansen.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

October 5, 2004

Adopted

TOWN OF RIVERHEAD

Resolution # 927

DECLARES LEAD AGENCY AND DETERMINES ENVIRONMENTAL SIGNIFICANCE OF IMPROVEMENT TO THE RAILROAD AVENUE PARKING AREA

COUNCILMAN DENSIESKI offered the following resolution which was seconded by COUNCILWOMAN SANDERS

WHEREAS, the Town Board of the Town of Riverhead is to improve Town owned land in order to construct a 237 stall municipal parking lot upon real property located at Railroad Avenue; such real property more particularly described as Suffolk County Tax Map Parcel Nos. 0600-128-3-1; 2; 3; 4; 5; 6; 7; 8; 9; 10; and 11, and

WHEREAS, the Riverhead Planning Department has prepared a SEQRA report assessing both the environmental conditions of the site and the adverse impacts associated with the improvements, and

WHEREAS, the Planning Department has not identified any significant adverse impacts associated with the improvements, and

WHEREAS, the Planning Department has recommended that the proposed improvements be considered an Unlisted action pursuant to 6 NYCRR Part 617 and that a notice of non-significance be filed, and

WHEREAS, the Riverhead Town Board has carefully considered the merits of the proposed action, the SEQRA record created to date, as well as all pertinent planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the improvements to Town owned land located at Railroad Avenue, Riverhead, New York, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Unlisted without significant adverse impacts upon either the natural or social environment and that an environmental impact statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the Planning Department prepared and file those notices of non-significance as required by 6 NYCRR Part 617.

THE VOTE
Bartunek ✓ yes ___ no Sanders ✓ yes ___ no
Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no
THE RESOLUTION ✓ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

RH/PLANNING

October 5, 2004

Adopted

TOWN OF RIVERHEAD

Resolution # 928

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE INCORPORATION OF CERTAIN PRIVATE ROADS INTO THE TOWN OF RIVERHEAD'S HIGHWAY SYSTEM PURSUANT TO NEW YORK STATE HIGHWAY LAW SECTION 189 HIGHWAYS BY USE.

Councilwoman Blass offered the following resolution, was seconded by

COuncilman Bartunek :

WHEREAS, pursuant to New York State Highway Law §189 Highways by Use, all lands/roads that have been used by the public as a highway for a period of ten years or more and which lands/roads have been maintained, repaired and controlled by the Town for ten years or more shall be a public highway with the same force and effect as if it had been laid out and recorded as a public highway; and

WHEREAS, there exists in the Town of Riverhead 84 roads which may be eligible to become public roads pursuant to New York State Highway Law §189 Highways by Use.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the full version of the attached notice to consider the incorporation of 84 private roads into the Town of Riverhead's highway system pursuant to New York State Highway Law §189 Highways by Use, once in the October 14, 2004, issue of the News Review the official newspaper designated for these purposes, and also to cause a copy of the Notice of Public Hearing for the proposed incorporation of 84 private roads into the Town of Riverhead's highway system be posted on the sign board of the Town in the Office of the Town Clerk; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to; the Highway Department; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office; the Town Supervisor's Office; the Building Department; the Zoning Board of Appeals and the Town Attorney's Office.

TA/SMW Roads public hearing

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no
Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no
THE RESOLUTION ✓ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held on November 3, 2004 at 2:10 'clock PM., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the consider the incorporation of the following private roads into the Town of Riverhead's highway system pursuant to New York State Highway Law §189 Highways by Use.

Jamesport Area:

1. Dunlookin La.
2. 7th St.
3. 6th St.,
4. Willow St.
5. Ziemacki La.

Aquebogue Area:

1. Beach Ave.
2. Harbor Rd.
3. Tyte Dr.

Riverhead Area:

1. Atwater St.
2. Bay Ct.
3. Buckskin La.
4. Center Dr.
5. Cranberry St.
6. Crows Nest Dr.
7. Cruise St.
8. Cutlass St.
9. Eight Bells Rd.
10. Elton Pl.
11. Hallett Ave S/O Lincoln St.
12. Hornpipe Rd.
13. Jackson St./Rd.
14. Marine St.
15. Midland St.
16. Midway Dr.
17. Millbrook La.

TA/SMW Roads public hearing

18. Nautical Dr.,
19. North Corwell Ave.
20. Oak Dr.
21. Overbrook St.
22. Peninsula Path
23. Pirate St.
24. Sea Breeze Dr.
25. South Dr.
26. Treasure Dr.

Manorville Area:

1. Horton Ct.
2. Oakwood Dr.

Wading River Area:

1. Apple La.
2. Beach Rd.
3. Beech St.
4. North, Cross Rd.
5. East Rd.
6. East Winds Dr.
7. 8th St.
8. 18th St.
9. 11th St.
10. 5th St.
11. 15th St.
12. Fire La.
13. 1st St.
14. Forest Hollow,
15. 4th St.
16. 14th St.
17. Gladys Dr.
18. Greenbriar Rd.
19. Hill St.
20. Maple Rd.
21. 9th St.
22. 19th St.
23. Oliver St.
24. Rita Ct.
25. 2nd St.
26. 21/2 St.
27. 7th St.
28. 17th St.

29. 6th St.
30. 16th St.
31. South Rd.
32. Terry Rd.
33. 10th St.
34. 3rd St.
35. 12th St.
36. 20th St.
37. 21st St.
38. Wildwood Ave.
39. Wildwood Rd.

Dated: Riverhead, New York
October 5, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

TA/SMW Roads public hearing

OCTOBER 7, 2004

Adopted

TOWN OF RIVERHEAD

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A NOTICE OF PUBLIC MEETINGS SCHEDULE FOR THE OPEN SPACE COMMITTEE

RESOLUTION # 929

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

RESOLVED, that the Town Clerk be and is herby directed to publish the attached Notice of Public Meetings Schedule for the Open Space Committee in the October 7, 2004 issue of The News Review;

THE VOTE

Sanders ~~Yes~~ **No** **Blass** ~~Yes~~ **No**

Densieski ~~Yes~~ **No** **Bartunek** ~~Yes~~ **No**

Cardinale ~~Yes~~ **No**

Z:herd.openspace

October 5, 2004

News Review
P.O. Box 1500
Mattituck, NY 11952

Gentlemen:

Please publish the following notice once in your issue of October 7, 2004 and send us two copies of proof of publication:

TOWN OF RIVERHEAD
NOTICE OF PUBLIC MEETINGS

PLEASE TAKE NOTICE, that public meetings of the Town Of Riverhead Open Space Committee will be held at Riverhead Town Hall Meeting Room 200 Howell Avenue, Riverhead, New York at 7:00 p.m. on the following dates:

October 12
November 9
December 14

Please be advised that if said meeting is cancelled due to unforeseen circumstances or weather conditions said meeting will be held on the following Monday evening at Riverhead Town Hall at 7:00 p.m.

DATED: October 5, 2004
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

10/5/04

TOWN OF RIVERHEAD

Adopted

Resolution # 930

APPROVES CHAPTER 90 APPLICATION OF ABBESS FARM (MARIE TOOKER)

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

WHEREAS, Marie Tooker of Abbess Farm has submitted a Chapter 90 Application for the purpose of conducting a fund raiser for the Riley Avenue Elementary School, having pumpkin picking and a corn maze, to be held on the Abbess Farm located at 3581 Middle Country Road, Calverton, New York, between the hours of 10:00 a.m. and 5:00 p.m., from October 2, 2004 through October 31, 2004; and

WHEREAS, Abbess Farm has paid the required Chapter 90 application fee for this event; 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 regarding said application.

NOW THEREFORE BE IT RESOLVED, that the Chapter 90 Application of Marie Tooker of Abbess Farm for the purpose of conducting a fund raiser for the Riley Avenue Elementary School, having pumpkin picking and a corn maze, to be held on the Abbess Farm located at 3581 Middle Country Road, Calverton, New York, between the hours of 10:00 a.m. and 5:00 p.m., from October 2, 2004 through October 31, 2004 is hereby approved; and be it further

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 81 - "Noise Control", Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be further

RESOLVED, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event. 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 to ensure compliance with the New York State Fire Code; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Abbess Farm, Attn: Marie Tooker, 3581 Middle Country Road, Calverton, New York, 11933; the Riverhead Fire Marshal; the Office of the Town Attorney and the Riverhead Police Department.

W:\Laura Calamita\chap90\AbbessFarm.ch90.doc

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

OCTOBER 5, 2004

Adopted

TOWN OF RIVERHEAD

2004 RECREATION CAPITAL IMPROVEMENT PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 931

COUNCILMAN BARTUNEK 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:

		FROM	TO
406.095031.481900.70054	PARK & REC. FEES	$73,000	
406.071100.523020.70054	HORTON AVE. PARK FENCING		$13,000
406.071100.523036.70054	LOMBARDI PARK GAZEBO		60,000

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

Z:\Budget Adj.TBM\10.5.04.TBM\Rec.Cap.Imp..doc

Adopted

October 5, 2004

TOWN OF RIVERHEAD

RESOLUTION # 932

AWARDS BID FOR 28 FOOT DIAMETER STEEL GAZEBO FOR LOMBARDI PARK

Adopted: October 5, 2004

COUNCILWOMAN BLASS 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 the Supply and Installation of a 28 foot diameter Steel Gazebo at Lombardi Park; and

WHEREAS, three (3) bids were received, opened and read aloud on the 10th day of September, 2004 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Supply and Installation of a 28 foot diameter Steel Gazebo be and is hereby awarded to Lobo Construction Services, Inc. in the amount of Fifty Two Thousand Five Hundred and Thirty Six Dollars & 00/100 ($52,536.00); and

BE IT FURTHER RESOLVED, that the Town Clerk be and does hereby authorize the Town Clerk to return any and all bid bonds received in connection with the above; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Lobo Construction Services, Inc., 46 Joyce Drive, Riverhead, New York 11901, Ken Testa, P.E. and the Office of Accounting.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

OCTOBER 5, 2004

Adopted

MEMORIALIZING RESOLUTION IN OPPOSITION TO SUFFOLK COUNTY'S PROPOSED PROTOCOL FOR EMERGENCY MEDICAL SERVICES (EMS) AND PUBLIC SAFETY ANSWERING POINT (PSAP)

RESOLUTION # 933

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

WHEREAS, public's health, safety, welfare and the protection of life and property are of utmost importance in terms of governmental responsibility, and with regard to medical emergencies, the outcome depends largely on timely and appropriate intervention; and

WHEREAS, the Town of Riverhead encompasses over 78 square miles and has 4 volunteer fire departments and 1 volunteer ambulance corps that provide a high level of service to the Town's inhabitants and visitors;. one emergency medical rescue company, Wading River, is affiliated with local fire departments; the other ambulance service operates independently; and

WHEREAS, the Town Board, in its capacity as "Commissioners" of the respective "Ambulance Special Assessment District," contracts with the Riverhead Ambulance Corps to provide its residents and visitors with prompt and reliable emergency medical services, and ambulance transport to area hospitals; and

WHEREAS, the Riverhead Town Police Department operates the E-911 system for emergencies in the Town of Riverhead and provides dispatch services to all of the emergency medical services, ambulance services, and first responders operating in the Town of Riverhead; and

WHEREAS, the Suffolk County Legislature is considering a resolution to "Streamline Emergency Medical Services (EMS) Coordination and Improve Response Time," sponsored by Legislator David Bishop which is calling for an established protocol county-wide based on a recommendation by the Suffolk Regional Emergency Medical Service Council (REMSCO) and a sub-committee known as "Regional Emergency Medical Advisory Committee (REMAC); and

WHEREAS, while the goal of the legislative initiative is laudable, i.e., to reduce response time for responders, a "cookie-cutter" approach is ill-advised; and

WHEREAS, the Town of Riverhead Fire and EMS Council has indicated that this proposed regulation by Suffolk County is of great concern to not only the Town of Riverhead but all five East End Towns of the Peconic Bay Region of Long Island, which differ greatly from the western towns of Suffolk County in terms of population, expanse of service area, and coordination among volunteers providing emergency medical services and fire protection; and

WHEREAS, the following factors need to be considered:

- Suffolk REMSCO is an advisory council chartered under Article 30 of the New York State Public Health Law to carry out the following responsibilities: (1) Coordinate emergency medical services within the region; (2) Make determinations of public need for the establishment or expansion of ambulance and advanced life support first response agencies; (3) Appoint members of the Regional Emergency Medical Advisory Committee; (4) Develop an annual training plan for the region; and (5) Provide focused technical assistance to voluntary ambulance services; and
- The Regional Emergency Medical Advisory Committee (REMAC) is charged with establishing an effective means for physician input into the development of Emergency Medical Service policy relative to EMS patient care delivery, certification and training. The development of treatment protocols, quality assurance initiatives, and the overall medical operation of the Suffolk County Emergency Medical Services System are the primary goals of the REMAC; and
- REMSCO and REMAC likely exceeded their authority as the powers and duties are expressly stated under New York State Public Health Law and "adopting protocol" and recommending a county-wide mandate instead of goals and guidelines is not listed with regard to dispatching, crew coordination and response time standards; and
- By Act of the State Legislature the New York State Public Health Law may be amended to require the State Commissioner to establish a separate regional coordinating council for the five East End Towns of the Peconic Bay Region of Long Island similar to the legislative action taken to allow the County of Nassau to have its own regional coordinating council several years ago. Aside from training needs, the issues of the East End agencies differ from the EMS agencies servicing communities within the western towns of Suffolk County – with many of the western agencies having paid emergency medical service personnel; and
- Failure by Suffolk County to provide county-sponsored liability insurance to emergency medical services agencies on the East End of Long Island is a breach of contract and governmental responsibility; and
- Directing the Director of Medical Services to withhold certification for emergency services agencies on the East End of Long Island is an inappropriate and irresponsible directive of the Suffolk County Legislature; and
- The response time mandate will cause additional liability issues for EMS agencies county-wide and may negatively impact the taxpayers of the special assessment districts which fund their ambulance district service contracts; and
- That a call-in crew confirmation mandate system is not feasible or desirous for all Public Safety Answering Points (PSAP's) without substantial and detrimental impact to ongoing PSAP operations; and
- The measure to require agency plans and enactment of a county-wide protocol is said to be an "unfunded mandate" that the County of Suffolk is forcing upon the East End of Long Island which does not have the problem of non-responsiveness and lack of crew coordination found among some community ambulance services in western portions of Suffolk County. The measure will cause increasing pressures upon volunteers providing emergency services on the East End which may lead to substantially higher property taxes due to the advent of paid service personnel, constructing and staffing sub-station

facilities in remote locations and additional liability lawsuits citing this proposed county-wide response time mandate; and

WHEREAS, the Town of Riverhead Police Department operates a Public Safety Answering Point (PSAP) with responsibility to dispatch police, fire, and EMS personnel; and

WHEREAS, REMSCO AND REMAC are not recognized by the Town of Riverhead Police Department as having any authority over dispatching protocol; and

WHEREAS, the draft legislation proposed by the County Legislature may have a substantial financial impact on PSAP's county-wide, which have neither the capacity nor the personnel to accomplish the proposed requirements; and now

THEREFORE BE IT RESOLVED that the Town Board of the Town of Riverhead hereby joins with the Town of Riverhead Fire and EMS Chiefs Council and Riverhead Town Police Department in opposing the Suffolk County Legislature's draft resolution to "Streamline Emergency Medical Services (EMS) Coordination and Improve Response Time," sponsored by Legislator David Bishop, as currently worded; and

BE IT FURTHER RESOLVED that the Town Board hereby urges the five East End Town Boards of the Peconic Bay Region to likewise memorialize opposition to the measure which amounts to an unfunded mandate, increased liability to townships and villages county-wide and the EMS agencies under contract to provide such necessary services, a detriment to volunteerism, and irresponsive withholding of necessary certifications and state-mandated liability insurance coverage for which property taxes are levied county-wide; and

BE IT FURTHER RESOLVED that the Town Board finds that REMSCO exceeded its authority in recommending protocol be codified county-wide and in doing so has failed to represent the interests of the East End Towns of the Peconic Bay Region; and

BE IT FURTHER RESOLVED that the Town Board finds that Suffolk County is proposing legislation which exceeds its authority in connection with dispatch services, as the majority of ambulance / emergency medical services in Riverhead Town are dispatched by the Riverhead Town Police Department, not Suffolk County; and

BE IT FURTHER RESOLVED that the Town Board hereby directs the Town Clerk to send a copy of this resolution to:

- Suffolk County Legislator Michael Caracciolo
- And all other members of the Suffolk County Legislature
- Suffolk County Executive Steve Levy
- NYS Assemblywoman Patricia Acompora
- NYS Senator Ken LaValle
- New York State Commissioner of the Department of Public Health
- REMSCO
- REMAC

- East End Supervisors and Mayors
- Suffolk County FRES Commissioner David Fischler
- Suffolk County Director of Medical Services
- Riverhead Town Fire and EMS Chiefs Council
- Riverhead Fire Districts Council
- Peconic Chiefs Council
- Riverhead Town Police Department
- Suffolk County E-911 Commission

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Bartunek Yes No

Cardinale Yes No

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

Z:herd.remsco

10/05/04

Adopted

TOWN OF RIVERHEAD

Resolution # 940

ACCEPTS CASH SECURITY OF ALEXANDER-TUTHILL FUNERAL HOME, INC. (PARKING LOT EXPANSION)

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

WHEREAS, Dean A Alexander has posted a cash security in the sum of Four Thousand Five Dollars ($4,500)(check #898 Dean A Alexander) representing the 5% site plan security as noted in the approved site plan dated December 16, 2003 Resolution #1337 for additional parking facilities located at 6447 Route 25A, Wading River, New York 11792, Suffolk County Tax Map # 600-73.-1-1.2, pursuant to Section 108-133 (I) of the Riverhead Town Code;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% cash security in the sum of Four Thousand Five Hundred Dollars ($4,500); 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 Dean A Alexander, 6447 Route 25A, Po Box 695, Wading River, New York 11792, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

October 5, 2004

Adopted

TOWN OF RIVERHEAD

EXTENDS BID FOR DIESEL FUEL

Resolution # 941

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

WHEREAS, the Purchasing Department has requested the contract with Quogue Sinclair Fuel, Inc., originally awarded under Resolution #824 adopted April 3, 2001, be extended until August 6, 2005; and

WHEREAS, the above named vendor has agreed to extend the contract until August 6, 2005 for +.103 per gallon above the Journal of Commerce Oil Price Daily listing; and

WHEREAS, the Town Board has reviewed said request.

NOW, THEREFORE, BE IT

RESOLVED, that the contract for DIESEL FUEL is extended until August 6, 2005.

RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a Certified Copy of this Resolution to Quogue Sinclair Fuel, Inc. and the Purchasing Department.

THE VOTE

Bartunek	☒ Yes ☐ No	Sanders	☒ Yes ☐ No
Blass	☒ Yes ☐ No	Densieski	☒ Yes ☐ No
Cardinale	☒ Yes ☐ No		

The Resolution Was ☒ Was Not ☐

Z:\Purchasing\BIDS04\Reso.Extends.Diesel Fuel.doc

RESOLUTION #942 ABSTRACT #40-04 SEPTEMBER 23, 2004 (TBM 10/05/04)

Councilwoman Sanders offered the following Resolution which was seconded by Councilman Densieski

FUND NAME		CD - NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	$ -	48,660.65	48,660.65
POLICE ATHLETIC LEAGUE	4	$ -	5,827.80	5,827.80
TEEN CENTER FUND	5	$ -	$330.00	330.00
RECREATION PROGRAM FUND	6	$ -	12,240.72	12,240.72
R.I.F.T.A. FUND	23	$ -	666.35	666.35
HIGHWAY FUND	111	$ -	25,451.23	25,451.23
WATER DISTRICT	112	$ -	38,512.15	38,512.15
RIVERHEAD SEWER DISTRICT	114	$ -	5,280.89	5,280.89
REFUSE & GARBAGE COLLECTIO	115	$ -	193,381.22	193,381.22
STREET LIGHTING DISTRICT	116	$ -	3,372.22	3,372.22
PUBLIC PARKING DISTRICT	117	$ -	351.79	351.79
RIVERHEAD SCAVANGER WASTE	128	$ -	9,943.59	9,943.59
WORKERS' COMPENSATION FUND	173	$ -	19,307.20	19,307.20
CDBG CONSORTIUM ACOUNT	181	$ -	1,916.69	1,916.69
TOWN HALL CAPITAL PROJECTS	406	$ -	313,330.25	313,330.25
MUNICIPAL FUEL FUND	625	$ -	7,904.28	7,904.28
MUNICIPAL GARAGE FUND	626	$ -	21,639.42	21,639.42
TRUST & AGENCY	735	$ -	38,703.00	38,703.00
TOTAL ALL FUNDS			746,819.45	746,819.45

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

October 5th, 2004

TOWN OF RIVERHEAD

Adopted

Resolution # 943

APPROVES AMENDED SITE PLAN OF WADING RIVER PROFESSIONAL BUILDINGS - (James Tsunis)

COUNCILMAN DENSIESKI offered the following resolution, which was seconded by COUNCILMAN BARTUNEK:

WHEREAS, by Resolution #1128, dated December 19, 2000, the Riverhead Town Board did approve the site plan of Wading River Professional Buildings (James Tunis), for construction of five (5) separate professional buildings, located at Route 25A, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-075.00-01-009.00, and

WHEREAS, Peter Danowski, as agent for James Tsunis, has requested that an amendment to the aforementioned site plan be approved by the Riverhead Town Board to allow the construction of a playground as an accessory use, and

WHEREAS, the Planning Department has reviewed such amendment and has recommended that the Town Board accept such modification, and

WHEREAS, this Town Board has reviewed the modification aforementioned; and

WHEREAS, the site plan amendment fee in the amount of $500.00, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Check Number 2004-0506 of the Office of the Financial Administrator of the Town of Riverhead;

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Riverhead does hereby amend the site plan approval of TAB LLC as depicted by the site plan prepared by Harold F. Tranchon, Jr. LS., dated June 8th, 2004.

BE IT FURTHER

RESOLVED, that no Certificate of Occupancy shall be issued by the Riverhead Building Department prior to the resolution of all Riverhead Justice Court matters

concerning the subject real property and all site improvements shall conform to the provisions of the Business E Zoning Use District.

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Martin Sendlewski, AIA, 215 Roanoke Avenue, Riverhead, New York 11901, the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office, and Office of the Town Attorney.

THE VOTE

Bartunek ✓ yes ___ no Sanders ___ yes ✓ no

Blass ___ yes ✓ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

10/05/04

Adopted

TOWN OF RIVERHEAD

Resolution #934

AMENDS TOWN OF RIVERHEAD ZONING USE DISTRICT SCHEDULE (BUSINESS CENTER, SHOPPING CENTER AND DESTINATION RETAIL CENTER ZONING USE DISTRICTS)

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

WHEREAS, the Town Clerk was authorized to publish and post a public notices to hear all interested persons to consider amending Chapter 108 which amendments would implement the commercial components of the Town of Riverhead Comprehensive Plan adopted on November 3, 2003; such local laws entitled Business Center Zoning Use District, Shopping Center Zoning Use District and Destination Retail Zoning Using, and

WHEREAS, the requisite public hearings necessary to adopt the aforementioned districts as well as the amended bulk schedule were held on September 13, 2004, at Riverhead Town Hall, located at 200 Howell Avenue, Riverhead, NY, and all interested persons were heard; and

WHEREAS, the Town Board has adopted amendments to Chapter 108 entitled "Zoning" to create Business Center, Shopping Center and Destination Retail Zoning Use Districts, and

WHEREAS, the amended zoning use districts with their respective performance criteria should be reflected in the Zoning Use District Schedule

NOW THEREFORE BE IT RESOLVED, that the Zoning Use District Schedule shall be amended to reflect the commercial zoning use district changes adopted on October 5, 2004, to wit: Business Center, Shopping Center and Destination Retail Center Zoning Use Districts shown in the attached spread sheet

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

W:\Common\Dawn Thomas\zoning adopt resos\amends bulk schedule.doc

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no
Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no

THE RESOLUTION ✕ WAS ___ WAS NOT THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted an amended Zoning Map, Town of Riverhead, Suffolk County at its regular meeting held on October 5, 2004 as follows:

Town of Riverhead
§ --- Commercial Districts Schedule of Dimensional Regulations
Amended 9-30-2004 by L.L. No. ----2004

			Building lot coverage (footprint)					Floor area ratio (FAR)				Side yards, interior lots		Side yards, corner lots		
Zoning Use District	Min. lot area (square feet)	Min. lot width at front street (feet)	Maximum without sewer (%)	Maximum with sewer (%)	Maximum with Transfer of Develop. Rights (%)	Maximum impervious surface (%)	Maximum height of buildings (feet)	Maximum without sewer (%)	Maximum with sewer (%)	Maximum with Transfer of Develop. Rights (%)	Minimum front yard depth (feet)	Min. depth for each (feet)	Min. combined depth for 2 sides (feet)	Min. depth facing side street (feet)	Min. combined depth for 2 sides (feet)	Minimum rear yard depth (feet)
Business Center (BC)	20,000	100	15	20	30	75	35 **(N3)**	15	20	60	50 **(N1)**	15	30	25	40	25
Shopping Center (SC)	40,000	200	15	20	30	75	35	15	20	30	50 **(N1)**	25	50	25	50	50
Destination Retail Center (DRC)	40,000	200	10	15	30	75	35 **(N3)**	10	20	60	50 **(N2)**	25	50	25	50	50

NOTES:

N1 - Thirty-five (35) feet of the fornt yard in the BC and SC Zoning Use District shall remain unoccupied as landscaped area with the exception of free-standing signs and access driveways.

N2 - Fifty (50) feet of the fornt yard in the DRC Zoning Use District shall remain unoccupied as landscaped area with the exception of free-standing signs and access driveways.

N3 - Preservation credits may be used to increase the height to fifty (50) feet.

Dated: Riverhead, New York
October 5, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

W:\Common\Dawn Thomas\zoning adopt resos\amends bulk schedule.doc

10/05/04

Adopted

TOWN OF RIVERHEAD

Resolution #935

AMENDS ZONING MAP, TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK

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

WHEREAS, the Town Clerk was authorized to publish and post a public notices to hear all interested persons to consider amending Chapter 108 which amendments would implement the residential components of the Town of Riverhead Comprehensive Plan adopted on November 3, 2003; and

WHEREAS, the map was published in conjunction with the proposed amendments to the text of Chapter 108 for the proposed Shopping Center Zoning Use District, Business Center Zoning Use District and Destination Retail Center Zoning Use District which were held on the 13th day of September, 2004 at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notices, and all persons wishing to be heard were heard, and

WHEREAS, that the amended map was referred to the Suffolk County Planning Commission in accordance with General Municipal Law §239-m,

NOW THEREFORE BE IT RESOLVED, that the adoption of the amendment to the Zoning Map is a Type I action pursuant to 6 NYCRR §617.4(b)(2) but that no further State Environmental Quality Review compliance is required because the adoption of the subject Local Law is being carried out in conformance with the conditions and thresholds established for such action in the Generic Environmental Impact Statement prepared and accepted for the Town of Riverhead Comprehensive Plan and its Findings Statement on November 3, 2003, and be it further

RESOLVED, that the attached Zoning Map, Town of Riverhead, Suffolk County, New York 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 News Review and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

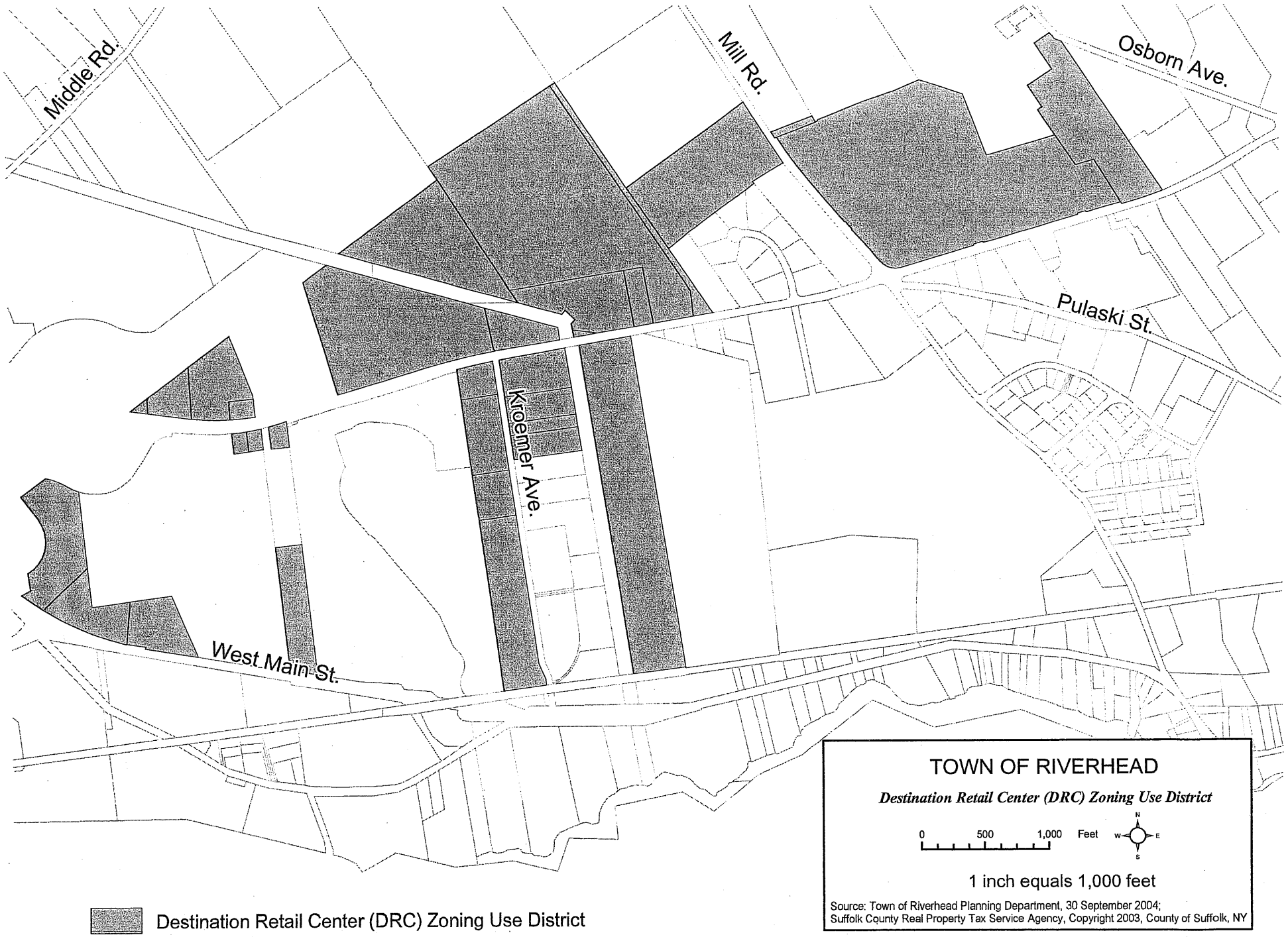
THE RESOLUTION ✓ WAS ___ WAS NOT

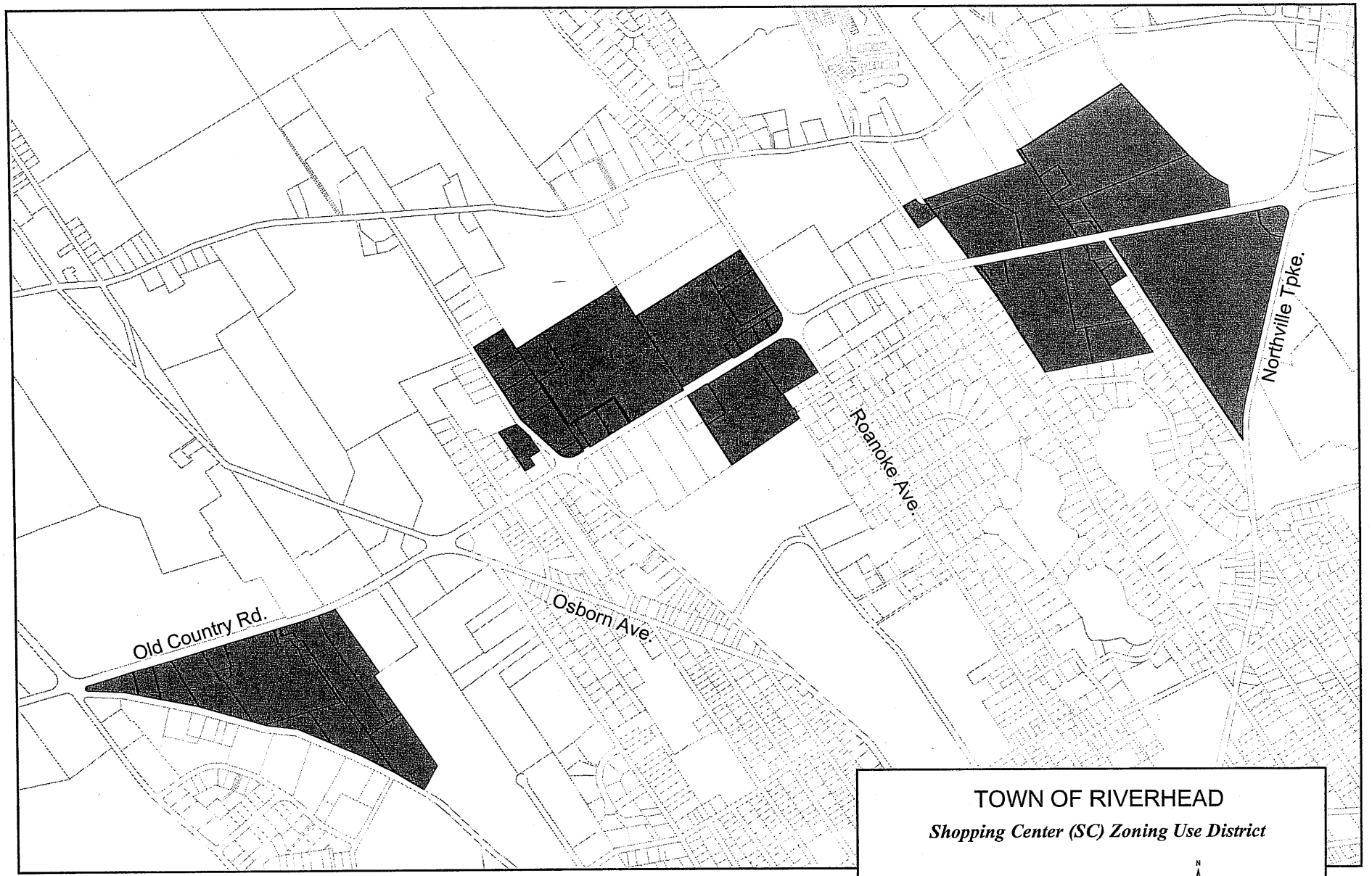
THEREFORE DULY ADOPTED

X:\Common\Dawn Thomas\zoning adopt resos\amends zoning map bc sc drc.doc

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted an amended Zoning Map, Town of Riverhead, Suffolk County at its regular meeting held on October 5, 2004 as follows:


Middle Rd.
Mill Rd.
Osborn Ave.
Pulaski St.
Kroemer Ave.
West Main St.
TOWN OF RIVERHEAD
Destination Retail Center (DRC) Zoning Use District
0
500
1,000
Feet
N
W
E
S
1 inch equals 1,000 feet
Source: Town of Riverhead Planning Department, 30 September 2004;
Suffolk County Real Property Tax Service Agency, Copyright 2003, County of Suffolk, NY
Destination Retail Center (DRC) Zoning Use District



TOWN OF RIVERHEAD

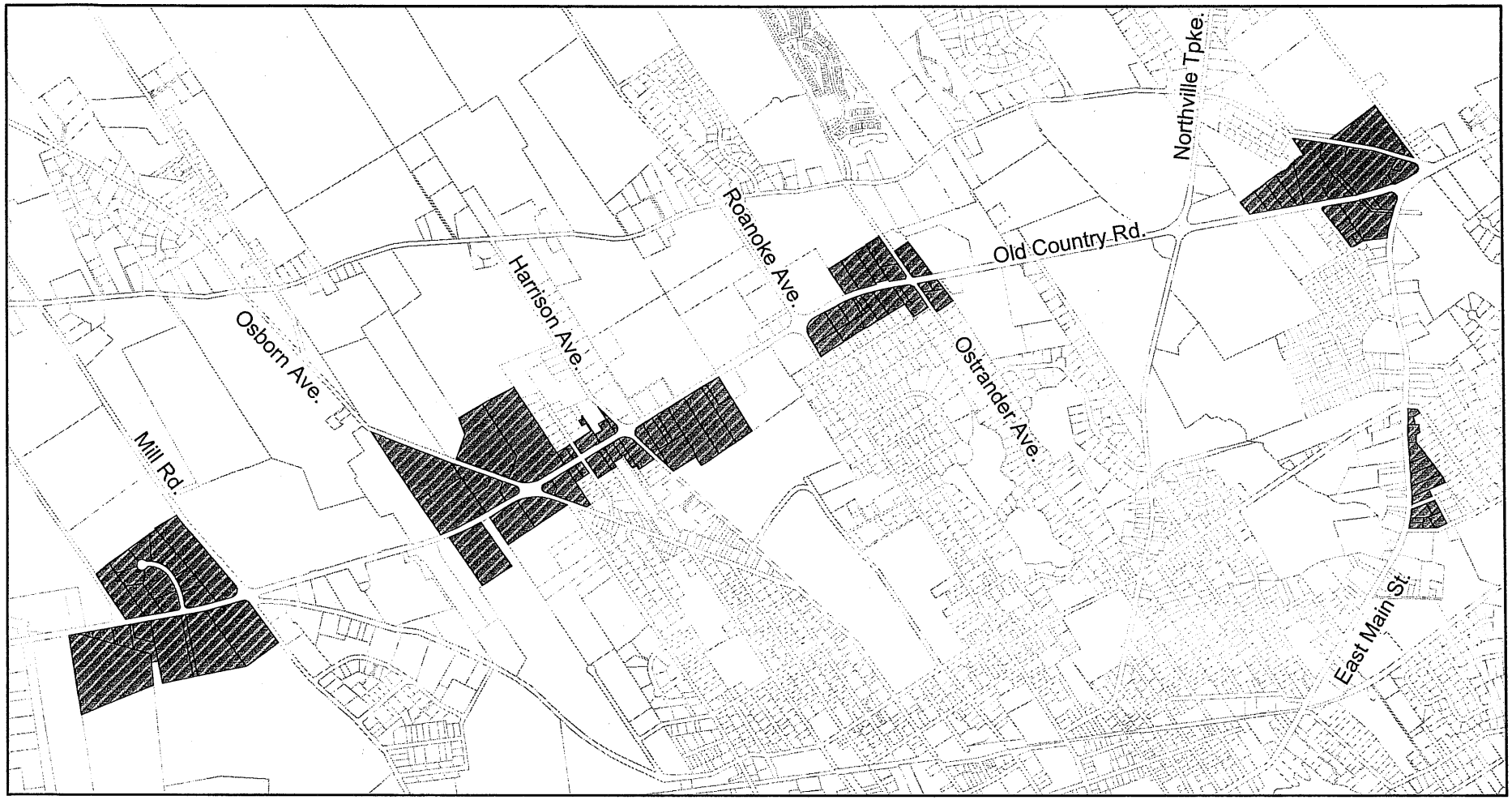
Shopping Center (SC) Zoning Use District

0 500 1,000 Feet

N W E S

Source: Town of Riverhead Planning Department,30 September 2004;
Suffolk County Real Property Tax Service Agency, Copyright 2003, County of Suffolk, NY

Shopping Center (SC) Zoning Use District



Business Center Zoning Use District

TOWN OF RIVERHEAD

Business Center (BC) Zoning Use District

0 875 1,750 Feet

N W E S

1 inch equals 1,750 feet

Source: Town of Riverhead Planning Department, 30 September 2004;
Suffolk County Real Property Tax Service Agency, Copyright 2003, County of Suffolk, NY

Dated: Riverhead, New York
October 5, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

W:\Laura Calamita\reso\business center zoning use district.doc

10/05/04

Adopted

TOWN OF RIVERHEAD

Resolution # 936

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (DESTINATION RETAIL CENTER ZONING USE DISTRICT)

COUNCILMAN BARTUNEK 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 amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 13th day of September, 2004 at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, the proposed local law was referred to the Suffolk County Planning Commission in accordance with General Municipal Law §239-m.

NOW THEREFORE BE IT RESOLVED, that the proposed Local Law is a Type I action pursuant to 6 NYCRR §617.4(b)(2) but that no further State Environmental Quality Review compliance is required because the adoption of the subject Local Law is being carried out in conformance with the conditions and thresholds established for such action in the Generic Environmental Impact Statement prepared and accepted for the Town of Riverhead Comprehensive Plan and its Findings Statement on November 3, 2003, and be it further

RESOLVED, that a local law to amend 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 News Review newspaper and to post same on the signboard at Town Hall; and be it further

X:\Laura Calamita\reso\shopping center zoning use district.doc

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; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

X:\Laura Calamita\reso\shopping center zoning use district.doc

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 entitled, "Zoning" (Destination Retail Center Zoning Use District) of the Riverhead Town Code at its regular meeting held on October 5, 2004 as follows:

§ 108.__ Destination Retail Center (DRC) Zoning Use District

1. **Purpose and Intent.**
   The intent of the Destination Retail Center (DRC) Zoning Use District is to provide a location for large retail centers along Route 58 that attract customers from the East End of Long Island and beyond, while linking development along the Route 58 corridor to open space protected in the Agricultural Protection (APZ) Zoning Use District. It is the further intent to allow increased floor area in the DRC Zoning Use District with the use of transferred development rights where appropriate. Development is intended to have a campus-style layout, with no strip or freestanding businesses permitted.

2. **Uses.**
   In the DRC Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

   A. Permitted Uses.
      (1) Retail stores or shops
      (2) Hotels

   B. Accessory uses.
      Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot.

3. **Lot, yard, bulk, & height requirements.**

   A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

   B. No individual retail store shall have a floor area of less than ten thousand (10,000) square feet, excepting that ten (10) percent of the total floor area may be improved with retail stores of less than 10,000 square feet with a minimum size per retail store of thirty-five hundred (3,500) square feet.

C. In order to maintain the Town's scenic and rural quality, properties shall provide a contiguous landscaped area equal to at least twenty (20) percent of the lot area. Such open space area shall be landscaped with shrubs, flowers, rock gardens, ornamental grasses, or other plantings rather than grass lawns.

4. Supplementary Requirements

The following design and parking requirements shall apply.

A. Design Standards.
   (1) Development is intended have a campus-style layout, with no strip style development permitted.
   (2) Driveway openings and curb cuts shall be aligned with the existing curb cuts along Route 58 or other major arterial roads, in order to reduce the potential addition of traffic lights and conflicting turning movements.
   (3) Continuous sidewalks; off-street transit stops, where routes exist or are planned; and bike racks close to business entrances shall be provided for properties fronting Route 58 or other major arterial street.
   (4) Signage shall be provided in accordance with §108-56, the Riverhead Sign Ordinance.

B. Buffering and Transitions.
   (1) Trash / dumpster areas shall be screened by wood fences or landscaping, or a combination thereof, pursuant to §98-8.
   (2) Buffer plantings or opaque fences, preferably wood fences, shall be provided between commercial uses and adjoining residential uses or zones, as well as along frontages with arterial roads.

C. Parking standards.
   (1) The number of off-street parking spaces in the DRC Zoning Use District shall be provided in accordance with §108-60, the Riverhead Parking Schedule.
   (2) Curb cuts to parking lots shall be minimized by sharing driveways and consolidating entrances for access to adjacent parking lots.
   (3) Planted berms shall be used to screen the view of parking areas from public roadways.
   (4) Off-street parking is prohibited within ten (10) feet of all property lines.
   (5) Driveways are prohibited within five (5) feet of side property lines.
   (6) In order to soften the appearance of parking lots, parking lots shall be landscaped with ground cover, grasses, or low shrubs for at least 10 percent of their land area. This landscaping requirement is in addition to the 20 percent parcelwide landscaping mentioned above.

(7) In order to provide shade, parking lots with twenty-one (21) or more spaces shall have "orchard" planting: 1 tree per 10 off-street spaces. Such trees shall be spread throughout the parking lot, rather than clustered only along the edges.

(8) In order to provide recharge of the groundwater basin and minimize runoff, at least one of the following stormwater management techniques shall be used in parking lots where underlying soils support infiltration of precipitation to the groundwater:

   a. Where sanding and salting are not used in the winter, low-traffic or seasonal parking-overflow areas of the parking lot shall be surfaced with porous pavement or gravel.

   b. Landscaped areas of the parking lot shall be sited, planted, and graded in a manner to provide infiltration and detention of runoff from paved areas.

(9) Large areas of surface parking shall be broken up by landscaped walkways connecting sidewalks and parking areas to business entrances, in order to create "parking fields" of no more than 250 spaces each.

Dated: Riverhead, New York
October 5, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

W:\Laura Calamita\reso\business center zoning use district.doc

Adopted

10/05/04

TOWN OF RIVERHEAD

Resolution # 937

AUTHORIZES THE TOWN CLERK TO PUBLISH A PUBLIC NOTICE FOR A PUBLIC HEARING TO CONSIDER THE REPEAL CERTAIN SECTIONS OF CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (Business A, Business B, Business C, Business D, Office/Service, Business G, Industrial A, Industrial B, Defense Institutional)

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN BARTUNEK :

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice once in the October 14th issue of the News Review newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law amending Chapter 108, "Zoning" **(Business A, Business B, Business C, Business D, Office/Service, Business G, Industrial A, Industrial B, Defense Institutional)** to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Planning Department; the Planning Board; the Zoning Board of Appeals and the Building Department.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

X:\Common\Dawn Thomas\zoning adopt resos\repeal commercial zoning ph.doc

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at 200 Howell Avenue, Riverhead, new York on the 19th day of October, 2004 at 7: o'clock p.m. to consider a local law amending Chapter 108 "Zoning" (**Business A, Business B, Business C, Business D, Office/Service, Business G, Industrial A, Industrial B, Defense Institutional)** of the Riverhead Town Code as follows:

~~ARTICLE VII, Business A District (Resort Business)~~

~~§ 108-27. Uses. [Amended 12-5-1972; 6-17-1975; 5-25-1976; 11-8-1978; 7-3-1979; 4-8-1982; 9-2-1986; 8-7-1990; 7-19-1994; 12-17-1996; 1-21-1997; 2-1-2000; 3-21-2000 by L.L. No. 2-2000]~~

~~In the Business A (Resort Business) District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for the following permitted uses, special permit uses and their customary accessory uses:~~

~~A. Permitted uses.~~

~~(1) Beach club and yacht club.~~

~~(2) Dwellings, one-family.~~

~~(3) Offices or meeting rooms of philanthropic, fraternal, social, educational or membership organizations.~~

~~(4) Park, playground.~~

~~(5) Retail store or shop.~~

~~(6) Shop for custom work and for making articles to be sold at retail on the premises.~~

~~B. Special permit uses.~~

~~(1) Multiple-family dwellings, apartment houses and condominiums.~~

~~(2) Tavern.~~

~~(3) Any recreational use.~~

~~(4) Day-care center or nursery school.~~

~~(5) Bed-and-breakfast.~~

~~(6) Hotel, motel and boatel.~~

~~(7) Marina, resort; marina, general.~~

~~(8) Restaurant.~~

~~C. Accessory uses. Accessory uses shall include those uses customarily incident to any of the above permitted uses when located on the same lot. Specifically permitted are the following:~~

~~(1) Home occupation or profession conducted within the dwelling by the residents thereof.~~

~~(2) Private garage, private greenhouse, private boathouse, summer house used exclusively for sleeping or recreational purposes and similar accessory buildings or uses.~~

~~(3) A temporary building or shed used during construction of a building or structure on the premises.~~

~~(4) Swimming pool constructed in accordance with the provisions of § 108-59 of this chapter.~~

~~(5) Boats and trailers. Any boat, house trailer, mobile home, camp trailer or camp car in excess of 15 feet in overall length shall not be stored or kept in the area between the street right-of-way and the front line of the main building projected to the side lot lines on any lot in the Business A District nor within 10 feet of any side lot or rear lot line, and no such boat or trailer shall be stored or maintained in such manner as to constitute an attractive nuisance or hazard to children.~~

~~(6) A game center, except as to a dwelling.~~
~~D. Prohibited uses. Prohibited uses shall include:~~
~~(1) Flea markets.~~
~~§ 108-28. General lot, yard and height requirements.~~
~~No principal building shall be erected nor any lot or land area utilized unless in conformity with the Zoning ScheduleEN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.~~
~~§ 108-29. Lot area.~~
~~A. No two-family dwelling shall be erected or converted on a lot having an area of less than 40,000 square feet and having a width of less than 150 feet.~~
~~B. No multiple-family dwelling, apartment house, garden apartment or condominium shall be erected on a lot of less than six acres and having a width of less than 200 feet. There shall be no less than 8,000 square feet of lot area for each 800 square feet of floor area. [Amended 12-5-1972]~~
~~C. Hotels, motels, boatels and boardinghouses shall be erected on a lot having an area of not less than 2,000 square feet for each 600 square feet of floor area and having a width of not less than 70 feet.~~
~~D. All other buildings and structures shall be erected on a lot having an area of not less than 20,000 square feet and having a width of not less than 100 feet. [Amended 12-21-1976]~~
~~§ 108-30. Yard requirements.~~
~~A. No building shall be erected nor any lot or land area utilized unless in conformity with the Zoning ScheduleEN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified. [Amended 12-21-1976]~~
~~B. For all other buildings or structures, there shall be an unoccupied front yard area 25 feet in depth.~~
~~§ 108-31. Residential use. EN [Added 5-17-1977; amended 1-21-1997]~~
~~Any single-family residential use in the Business A District shall conform to all requirements for a residential use in the agricultural use district.~~
~~§ 108-31.1. Review of site plan. [Added 5-16-1978; amended 7-3-1979; 10-5-1982; 6-18-2002 by L.L. No. 22-2002]~~
~~Before issuing a building permit, each application, other than single-family residences, together with the accompanying site plan, shall be subject to the site plan review requirements of this chapter.EN~~
~~§ 108-32. Living area.~~
~~A. For a single-family dwelling, exclusive of attached garages, carports, unenclosed porches and breezeways, there shall be provided not less than 900 square feet of living area for the first story, but a~~

~~maximum of 200 square feet of area of the second story may be used and applied to the area requirement for the first story.~~

~~B. For two-family dwellings, exclusive of attached garages, carports, unenclosed porches and breezeways, there shall be provided not less than 1,600 square feet of living area for the first story, but a maximum of 700 square feet of area of the second story may be used and applied to the area requirement for the first story.~~

~~§ 108-33. Additional requirements. [Amended 12-5-1972]~~

~~Where a multiple-family dwelling, apartment house, garden apartment or condominium consists of more than one principal building, there shall be a minimum distance between such principal buildings of 50 feet. All buildings shall be erected, reconstructed or altered so as to be situate 60 feet from the lines of the lot.~~

~~ARTICLE VIII, Business B District (Shopping Center)~~

~~§ 108-34. Uses. [Amended 7-3-1979; 2-1-2000; 3-21-2000 by L.L. No. 2-2000]~~

~~In the Business B (Shopping Center) District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for the following permitted uses, special exception or special permit uses and their customary accessory uses:~~

~~A. Permitted uses.~~

~~(1) Bakery, ice cream or confectionary shop where products are made and sold at retail on the premises.~~

~~(2) Bank, financial institution.~~

~~(3) Bus passenger shelter.~~

~~(4) Community center.~~

~~(5) Funeral home; mortuary or undertaking establishment.~~

~~(6) Motor vehicle, new and used car sales lots and boat salesrooms where all automobile and boat parts, dismantled vehicles and boats and similar articles are stored within a building.~~

~~(7) Office: business, professional, utility.~~

~~(8) Offices or meeting rooms of philanthropic, fraternal, social, educational or membership organizations.~~

~~(9) Park, playground or recreational area operated by the Town.~~

~~(10) Personal service shop, such as a barbershop, beauty parlor, professional studio, travel agency or similar shop, and provided that the total floor area is less than 4,000 square feet, dry-cleaning and laundry service.~~

~~(11) Radio and television broadcasting studio.~~

~~(12) Restaurant, except that a drive-in restaurant shall be permitted only by special permit of the Town Board. [Amended 12-5-1972]~~

~~(13) Retail store or shop.~~

~~(14) Shop for custom work and for making articles to be sold at retail on the premises.~~

~~(15) Theater, indoor.~~
~~(16) Vehicle repair. [Added 5-17-1977]~~
~~B. Special permit uses. [Amended 11-8-1978; 4-8-1982; 8-7-1990; 10-1-2002 by L.L. No. 29-2002]~~
~~(1) Gasoline service station, by special permit of the Town Board.~~
~~(2) Single-family residences, by special permit of the Town Board.~~
~~(3) Any other recreational use, by special permit of the Town Board.~~
~~(4) A game arcade by special permit of the Town Board.~~
~~(5) Day-care center or nursery school, by special permit of the Town Board.~~
~~C. Accessory uses.~~
~~(1) Customary accessory uses, buildings or structures incidental to any of the permitted uses.~~
~~(2) Private garage or off-street parking and truck loading area.~~
~~(3) A game center, except as to a dwelling. [Added 4-8-1982]~~
~~(4) A game room as an accessory use to a tavern only. [Added 4-8-1982]~~
~~D. Prohibited uses. Prohibited uses shall include: [Added 12-17-1996]~~
~~(1) Flea markets.~~
~~§ 108-35. General lot, yard and height requirements.~~
~~No building shall be erected nor any lot or land area utilized unless in conformity with the Zoning ScheduleEN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.~~
~~§ 108-36. Residential uses.~~
~~A. Any lots subsequently divided to leave a nonconformity residential use as a separate lot must be divided so that such residential lot complies with provisions for lot area, width and yard requirements of Agriculture A District of this chapter. Any subsequent alterations or enlargements of the building shall comply with the Agriculture A District of this chapter.~~
~~B. Any lot in nonconforming residential use or subsequently divided to leave a nonconformity residential use as a separate lot must be divided so that such residential lot complies with the provisions for lot area, width and yard requirements of Agriculture A District of this chapter. Any subsequent alterations or enlargements of the building shall comply with the requirements of Agriculture A District of this chapter.~~
~~§ 108-37. Additional requirements.~~
~~A. There shall be submitted with all applications for a building permit, other than residential and accessory uses, three copies of a site plan drawn to scale showing the information necessary to determine compliance with and provide for the enforcement of this chapter.~~
~~B. Where a special permit of the Town Board is required, the provision of these additional requirements shall not apply. Where a special exception of the Zoning Board is required, said special exception~~

~~shall be obtained as a prerequisite to the filing of the site plan. [Amended 6-17-1975]~~

~~C. The site plan shall show the proposed method of collection and disposal of stormwater, designed so as not to interfere with adjoining properties or burden public facilities; the proposed lighting facilities for the safety of pedestrian and vehicular traffic, with exterior spotlighting of buildings or grounds to be from shaded sources and located so that the light beams are not directed toward any lot in a residential district or toward a public highway; and the method of water supply and of sewage disposal, conforming to Health Department requirements.~~

~~D. Vehicular entrances and exits shall be clearly visible from access streets and shall not be located within 75 feet of any street intersection.~~

~~E. (Reserved)EN~~

~~F. (Reserved)EN~~

~~G. There shall be a protective planting strip not less than 10 feet in width along any lot line abutting a residential district. The plantings shall be evergreens which will attain and which shall be maintained to a height of not less than eight feet to provide an effective natural screen between districts.~~

~~H. Gasoline service station.~~

~~(1) A gasoline service station may not be erected within a radius of 1/2 mile from any existing gasoline service station, measured between the principal buildings, and may not be erected within a radius of 500 feet from a residence use district.~~

~~(2) There must be filed with an application for a special permit an affidavit setting forth the names and addresses of all the owners of real property situate within a radius of 1,000 feet from the proposed site as measured from the line of the property which is the subject of the application, which affidavit shall set forth proof of service by certified mail, return receipt requested, of notice of public hearing on the application having been sent to all such property owners not less than 30 days prior to the hearing. The notice of public hearing shall set forth that an application for a proposed gasoline service station has been filed with the Town Board; a description of the proposed site, together with a map thereof; a description of the proposed type of operation; the names and addresses of the applicants and all persons having an interest in the said premises; and the time and place of the public hearing before the Town Board, together with a statement that all persons wishing to be heard in connection with the application should appear before the Town Board at the time specified therein.~~

~~(3) 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. [Amended 10-1-2002 by L.L. No. 29-2002]~~

~~§ 108-38. Review of site plan. [Amended 6-15-1976; 6-18-2002 by L.L. No. 22-2002]~~

~~Before issuing a building permit, each application, together with the accompanying site plan, shall be subject to the site plan review requirements of this chapter.EN~~

~~ARTICLE IX, Business C District (Neighborhood Business)~~

~~§ 108-39. Uses. [Amended 12-5-1972; 5-17-1977; 11-8-1978; 7-3-1979; 4-8-1982; 8-7-1990; 7-19-1994; 12-17-1996; 10-7-1997; 11-5-1997; 2-1-2000; 3-21-2000 by L.L. No. 2-2000]~~

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

~~A. Permitted uses.~~

~~(1) Bakery, ice-cream or confectionery shop where products are made and sold at retail on the premises.~~

~~(2) Bank, financial institution.~~

~~(3) Bus passenger shelter.~~

~~(4) Community center.~~

~~(5) Funeral home; mortuary or undertaking establishment.~~

~~(6) (Reserved)EN~~

~~(7) (Reserved)EN~~

~~(8) Office: business, professional, utility.~~

~~(9) Offices or meeting rooms of philanthropic, fraternal, social, educational or membership organizations.~~

~~(10) Park, playground.~~

~~(11) Person service shop, such as a barbershop, beauty parlor, professional studio, travel agency or similar shop, and provided that the total floor area is less than 4,000 square feet, dry-cleaning or laundry service.~~

~~(12) Radio or television broadcasting studio.~~

~~(13) Restaurant, except that a drive-in restaurant shall be permitted only by special permit of the Town Board.~~

~~(14) Retail store or shop.~~

~~(15) Shop for custom work and for making articles to be sold at retail on the premises.~~

~~(16) Theater, indoor.EN~~

~~B. Special permit uses. [Amended 10-1-2002 by L.L. No. 29-2002]~~

~~(1) (Reserved)~~

~~(2) (Reserved)~~
~~(3) Single-family residences, by special permit of the Town Board.~~
~~(4) Any other recreational use, by special permit of the Town Board.~~
~~(5) Day-care center or nursery school, by special permit of the Town Board.~~
~~(6) Bed-and-breakfast, by special permit of the Town Board.~~
~~C. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses when located on the same lot. Specifically permitted are the following:~~
~~(1) Customary accessory uses, buildings or structures incidental to any of the permitted uses.~~
~~(2) Private garages or off-street parking and truck loading areas.~~
~~(3) Boats, trailers, airplanes or seaplanes. Any boat, house trailer, mobile home, camp trailer, camp car, airplane or seaplane in excess of 15 feet in overall length shall not be stored or kept in the area between the street right-of-way and the front line of the main building projected to the side lot lines on any lot in the Business C District nor within 10 feet of any side lot or rear lot line, and no such boat, trailer or plane shall be stored or maintained in such manner as to constitute an attractive nuisance or hazard to children.~~
~~(4) A game center, except as to a dwelling.~~
~~(5) A game room as an accessory use to a tavern only.~~
~~D. Prohibited uses. Prohibited uses shall include:~~
~~(1) Flea markets.~~
~~§ 108-40. General lot, yard and height requirements. [Amended 12-5-1972]~~
~~A. No building shall be erected nor any lot or land area utilized unless in conformity with the Zoning ScheduleEN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.~~
~~B. Any lot in nonconforming residential use or subsequently divided to leave a nonconforming residential use as a separate lot must be divided so that such residential lot complies with the provisions for lot area, width and yard requirements of Agriculture A District of this chapter. Any subsequent alterations or enlargements of the building shall comply with the requirements of Agriculture A District of this chapter.~~
~~§ 108-41. Additional requirements.~~
~~A. Gasoline service station.~~
~~(1) A gasoline service station may not be erected within a radius of 1/2 mile from any existing gasoline station, measured between the principal buildings, and may not be erected within a radius of 500 feet from a residence use district.~~
~~(2) There must be filed with an application for a special permit an affidavit setting forth the names and addresses of all the owners of real~~

~~property situate within a radius of 1,000 feet from the proposed site as measured from the line of the property which is the subject of the application, which affidavit shall set forth proof of service by certified mail, return receipt requested, of notice of public hearing on the application having been sent to all such property owners not less than 30 days prior to the hearing. The notice of public hearing shall set forth that an application for a proposed gasoline service station has been filed with the Town Board; a description of the proposed site, together with a map thereof; a description of the proposed type of operation; the names and addresses of the applicants and all persons having an interest in the said premises; and the time and place of the public hearing before the Town Board, together with a statement that all persons wishing to be heard in connection with the application should appear before the Town Board at the time specified therein.~~

~~(3) 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. [Amended 10-1-2002 by L.L. No. 29-2002]~~

~~§ 108-41.1. Review of site plan. [Added 5-16-1978; amended 6-18-2002 by L.L. No. 22-2002]~~

~~Before issuing a building permit, each application, together with the accompanying site plan, shall be subject to the site plan review requirements of this chapter.EN~~

~~ARTICLE X, Business D District (General Business) [Amended 12-5-1972; 1-11-1974; 6-17-1975; 5-25-1976; 5-16-1978; 11-8-1978; 7-3-1979; 4-8-1982; 8-7-1990; 7-19-1994; 12-17-1996; 2-1-2000; 3-21-2000 by L.L. No. 2-2000; 5-7-2002 by L.L. No. 15-2002; 6-18-2002 by L.L. No. 21-2002; 6-18-2002 by L.L. No. 22-2002; 10-1-2002 by L.L. No. 29-2002; 8-5-2003 by L.L. No. 14-2003]~~

~~§ 108-42. Uses.~~

~~In the Business D District (General Business), no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for the following permitted uses, special exception or special permit uses and their customary accessory uses:~~

~~A. Permitted uses.~~

~~(1) Bakery, ice cream or confectionery shop where products are made and sold at retail on the premises.~~

~~(2) Bank, financial institution.~~
~~(3) Bus passenger shelter.~~
~~(4) Community center.~~
~~(5) Funeral home; mortuary or undertaking establishment.~~
~~(6) Marina, resort; marina, general.~~
~~(7) Motor vehicle, new and used car sales lots and boat salesrooms; motor vehicle and boat repair facilities operated in connection with motor vehicle and boat salesrooms where all automobile and boat parts, dismantled vehicles and boats and similar articles are stored within a building.~~
~~(8) Used motor vehicle and boat sales lots on which there are vehicles and boats for sale which are in registerable condition according to rules and regulations of the State of New York Motor Vehicle Department and comparable governmental agencies for which boats are in seaworthy condition.~~
~~(9) (Reserved)~~
~~(10) Offices or meeting rooms of philanthropic, fraternal, social, educational or membership organizations.~~
~~(11) Park, playground.~~
~~(12) Personal service shop, such as barbershop, beauty parlor, professional studio, travel agency or similar shop, and provided the total floor area is less than 4,000 square feet, dry-cleaning or laundry service.~~
~~(13) Radio or television broadcasting studio.~~
~~(14) Restaurant, except that a drive-in restaurant shall be permitted only by special permit of the Town Board.~~
~~(15) Retail store or shop.~~
~~(16) Shop for custom work and for making articles to be sold at retail on the premises.~~
~~(17) Theater, indoor.~~
~~(18) Business and secretarial schools.~~
~~(19) Residential apartment units with a minimum living space of 800 square feet.~~
~~B. Special permit uses.~~
~~(1) Gasoline service station, by special permit of the Town Board.~~
~~(2) Hotels, by special permit of the Town Board.~~
~~(3) Single-family residences, by special permit of the Town Board.~~
~~(4) Billiard parlor, by special permit of the Town Board.~~
~~(5) Tavern, by special permit of the Town Board.~~
~~(6) Any other recreational use, by special permit of the Town Board.~~
~~(7) Day-care center or nursery school, by special permit of the Town Board.~~
~~(8) Bed-and-breakfast, by special permit of the Town Board.~~
~~(9) Office; business, professional, utility, by special permit of the Town Board.~~

~~C. Accessory uses. Accessory uses shall include those uses customarily incident to any of the above permitted uses when located on the same lot. Specifically permitted are the following:~~
~~(1) Customary accessory uses, buildings or structures incidental to any of the permitted uses.~~
~~(2) Private garages or off-street parking and truck loading areas.~~
~~(3) A game center, except as to a dwelling.~~
~~(4) A game room as an accessory use to a tavern only.~~
~~D. Prohibited uses. Prohibited uses shall include:~~
~~(1) Flea markets.~~
~~§ 108-43. General lot, yard and height requirements.~~
~~A. No building shall be erected nor shall any lot or land area be utilized unless in conformity with the Zoning ScheduleEN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said Schedule, except as may be hereafter specifically modified.~~
~~B. Any lot in nonconforming residential use or subsequently divided to leave a nonconforming residential use as a separate lot must be divided so that such residential lot complies with the provisions for lot area, width and yard requirements of the Agriculture A District of this chapter. Any subsequent alterations or enlargements of the building shall comply with the requirements of the Agriculture A District of this chapter.~~
~~§ 108-44. Additional requirements for special permit uses.~~
~~A. Gasoline service station.~~
~~(1) A gasoline service station may not be erected within a radius of 1/2 mile from any existing gasoline service station, measured between the principal buildings, and may not be erected within a radius of 500 feet from a residence use district.~~
~~(2) There must be filed with all applications for a special permit an affidavit setting forth the names and addresses of all the owners of real property situate within a radius of 1,000 feet from the proposed site as measured from the line of the property which is the subject of the application, which affidavit shall set forth proof of service by certified mail, return receipt requested, of notice of public hearing on the application having been sent to all such property owners not less than 30 days prior to the hearing. The notice of public hearing shall set forth that an application for a proposed gasoline service station has been filed with the Town Board; a description of the proposed site, together with a map thereof; a description of the proposed type of operation; the names and addresses of the applicants and all persons having an interest in said premises; and the time and place of the public hearing before the Town Board, together with a statement that all persons wishing to be heard in connection with the application should appear before the Town Board at the time specified therein.~~

~~(3) Any permit granted shall be conditioned upon the lot 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.~~

~~§ 108-44.1. Review of site plan.~~

~~Before issuing a building permit, each application, together with the accompanying site plan, shall be subject to the site plan review requirements of this chapter.EN~~

~~§ 108-44.2. (Reserved)~~

~~§ 108-44.3. (Reserved)~~

~~§ 108-44.4. (Reserved)~~

~~ARTICLE XI, Industrial A District (Light Industry) [Amended 12-5-1972; 6-17-1975; 7-15-1975; 5-25-1976; 12-21-1976; 5-17-1977; 5-16-1978; 6-20-1978; 11-8-1978; 7-3-1979; 1-13-1987; 9-18-1990; 10-20-1992; 7-1-1997; 8-4-1998 by L.L. No. 9-1998; 10-6-1998; 6-18-2002 by L.L. No. 22-2002; 10-1-2002 by L.L. No. 29-2002; 8-5-2003 by L.L. No. 14-2003]~~

~~§ 108-45. Uses.~~

~~In the Industrial A District (Light Industry), no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for two of the following permitted uses, special exception or special permit uses and their customary accessory uses:~~

~~A. Permitted uses.~~

~~(1) Agriculture.~~

~~(2) Assembly hall.~~

~~(3) (Reserved).~~

~~(4) Bottling works.~~

~~(5) Building trade shops.~~

~~(6) Cold storage plant.~~

~~(7) Farms.~~

~~(8) Greenhouse, plant nursery and garden.~~

~~(9) Ice cream manufacture.~~

~~(10) Marina.~~

~~(11) Motor vehicle, mobile home, trailer or boat sales or rental.~~

~~(12) Newspaper offices; job printing establishment.~~

~~(13) Offices.~~

~~(14) (Reserved).~~

~~(15) Poultry processing plant.~~

~~(16) Repair shops for household and/or personal appliances.~~

~~(17) (Reserved).~~

~~(18) Telephone exchange.~~

~~(19) Trucking station.~~

~~(20) Vegetable and fruit processing.~~

~~(21) Vehicle repair.~~

~~(22) Vocational school.~~

~~(23) Warehouse.~~

~~B. Special permit uses.~~

~~(1) Airport, when authorized by special permit of the Town Board.~~

~~(2) Sports arena, when authorized by special permit of the Town Board.~~

~~(3) Hotels, when authorized by special permit of the Town Board.~~

~~(4) Restaurant, by special permit of the Town Board.~~

~~(5) Nonnuisance industry, by special permit of the Town Board, except that sand mining as defined in the Environmental Conservation Law is a prohibited use under this district.~~

~~(6) Wholesale business (nonnuisance), by special permit of the Town Board.~~
~~(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.~~
~~(8) Camps of Types 1, 3, 4, 5 and 6, by special permit of the Town Board. All Type 2 camp applications filed with the Town Board prior to December 5, 1972, may be considered by the Town Board pursuant to the special permit provisions of this chapter and, if granted, they are hereby deemed permitted and conforming.~~
~~(9) (Reserved).~~
~~(10) Tavern, by special permit of the Town Board.~~
~~(11) Outdoor theater, golf driving range, archery, outdoor swimming pool and similar outdoor recreational uses, by special permit of the Town Board.~~
~~(12) Lumberyard, by special permit of the Town Board.~~
~~(13) National cemetery, by special permit of the Town Board.~~
~~(14) Any other recreational use, by special permit of the Town Board.~~
~~(15) Body and fender repair shop, by special permit of the Town Board.~~
~~(16) Motor vehicle repair shop, by special permit of the Town Board.~~
~~C. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses when located on the same lot. Specifically permitted are the following:~~
~~(1) Customary accessory uses, buildings or structures incidental to any of the permitted uses.~~
~~(2) Private garages or off-street parking and truck loading areas.~~
~~§ 108-46. General lot, yard and height requirements.~~
~~A. No building shall be erected nor any lot or land area utilized unless in conformity with the Zoning ScheduleEN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.~~
~~B. Any lot in nonconforming residential use or subsequently divided to leave a nonconforming residential use as a separate lot must be divided so that such residential lot complies with the provisions for lot area, width and yard requirements of Agriculture A District of this chapter. Any subsequent alterations or enlargements of the building shall comply with the requirements of Agriculture A District of this chapter.~~
~~§ 108-47. Additional requirements.~~
~~A. Gasoline service station.~~
~~(1) A gasoline service station may not be erected within a radius of 1/2 mile from any existing gasoline service station, measured between the principal buildings, and may not be erected within a radius of 500 feet from a residence use district.~~

~~(2) There must be filed with an application for a special permit an affidavit setting forth the names and addresses of all the owners of real property situate within a radius of 1,000 feet from the proposed site as measured from the line of the property which is the subject of the application, which affidavit shall set forth proof of service by certified mail, return receipt requested, of notice of public hearing on the application having been sent to all such property owners not less than 30 days prior to the hearing. The notice of public hearing shall set forth that an application for a proposed gasoline service station has been filed with the Town Board; a description of the proposed site, together with a map thereof; a description of the proposed type of operation; the names and addresses of the applicants and all persons having an interest in the said premises; and the time and place of the public hearing before the Town Board, together with a statement that all persons wishing to be heard in connection with the application should appear before the Town Board at the time specified therein.~~

~~(3) Any permit granted shall be conditioned upon the lot 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 continued violations.~~

~~§ 108-47.1. Review of site plan.~~

~~Before issuing a building permit, each application, together with the accompanying site plan, shall be subject to the site plan review requirements of this chapter.EN~~

~~ARTICLE XII, Industrial B District (General Industry)~~

~~§ 108-48. Uses. [Amended 5-4-1971; 12-5-1972; 11-8-1978; 7-3-1979]~~

~~In the Industrial B District (General Industry), no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for two of the following permitted uses, special exception or special permit uses and their customary accessory uses:~~

~~A. Permitted uses.~~

~~(1) Agriculture.~~

~~(2) Automobile laundry.~~

~~(3) Building contractor storage and/or equipment yard.~~

~~(4) Dry-cleaning or laundry plant.~~

~~(5) Greenhouse, plant nursery and garden.~~

~~(6) Ice-cream manufacture.~~

~~(7) Newspaper offices; job printing establishment.~~
~~(8) Offices.~~
~~(9) Printing and publishing plant.~~
~~(10) Repair shops for household and/or personal appliances.~~
~~(11) Restaurant, except that a drive-in restaurant shall be permitted only by special permit of the Town Board.~~
~~(12) Storage yard: building material, feed or similar nonhazardous material.~~
~~B. Special permit uses. [Amended 1-13-1987; 10-20-1992; 8-4-1998 by L.L. No. 9-1998; 10-1-2002 by L.L. No. 29-2002]~~
~~(1) Airport, when authorized by special permit from the Town Board.~~
~~(2) A nonnuisance industry, by special permit of the Town Board.~~
~~(3) Loading, hauling and/or processing of sand, gravel, shale or topsoil, by special permit of the Town Board, except that sand mining as defined in the Environmental Conservation Law is a prohibited use under this district.~~
~~(4) Wholesale business (nonnuisance), by special permit of the Town Board.~~
~~(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.~~
~~(6) Gas service station, by special permit of the Town Board.~~
~~(7) Camps of Types 1, 3, 4, 5 and 6, by special permit of the Town Board.~~
~~(8) (Reserved)~~
~~(9) Any other use, except for multiple-family dwelling, apartment house, garden apartment or condominium and camp of Type 2, not hereinbefore permitted, may be established by special permit of the Town Board.~~
~~(10) Any other recreational use, by special permit of the Town Board.~~
~~(11) Body and fender repair shop, by special permit of the Town Board.~~
~~(12) Motor vehicle repair shop, by special permit of the Town Board.~~
~~C. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses when located on the same lot. Specifically permitted are the following:~~
~~(1) Customary accessory uses, buildings or structures incidental to any of the permitted uses.~~
~~(2) Private garages or off-street parking and truck loading areas.~~
~~(3) Retail sales related to permitted uses.~~
~~§ 108-49. General lot, yard and height requirements.~~
~~A. No building shall be erected nor any lot or land area utilized unless in conformity with the Zoning ScheduleEN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.~~

~~B. Any lot in nonconforming residential use or subsequently divided to leave a nonconforming residential use as a separate lot must be divided so that such residential lot complies with the provisions for lot area, width and yard requirements of Agriculture A District of this chapter. Any subsequent alterations or enlargements of the building shall comply with the requirements of Agriculture A District of this chapter.~~

~~§ 108-50. Additional requirements.~~

~~A. Gasoline service stations.~~

~~(1) A gasoline service station may not be erected within a radius of 1/2 mile from any existing gasoline service station, measured between the principal buildings, and may not be erected within a radius of 500 feet from a residence use district.~~

~~(2) There must be filed with an application for a special permit an affidavit setting forth the names and addresses of all the owners of real property situate within a radius of 1,000 feet from the proposed site as measured from the line of the property which is the subject of the application, which affidavit shall set forth proof of service by certified mail, return receipt requested, of notice of public hearing on the application having been sent to all such property owners not less than 30 days prior to the hearing. The notice of public hearing shall set forth that an application for a proposed gasoline service station has been filed with the Town Board; a description of the proposed site, together with a map thereof; a description of the proposed type of operation; the names and addresses of the applicants and all persons having an interest in the said premises; and the time and place of the public hearing before the Town Board, together with a statement that all persons wishing to be heard in connection with the application should appear before the Town Board at the time specified therein.~~

~~(3) 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. [Amended 10-1-2002 by L.L. No. 29-2002]~~

~~§ 108-50.1. Review of site plan. [Added 5-16-1978; amended 6-18-2002 by L.L. No. 22-2002]~~

~~Before issuing a building permit, each application, together with the accompanying site plan, shall be subject to the site plan review requirements of this chapter.EN~~

~~ARTICLE XXX, Defense Institutional District [Added 11-17-1987]~~

~~§ 108-147. Purpose.~~

~~It is the purpose of this Article to recognize the national and regional importance and institutional use of certain lands within the Town of Riverhead, while at the same time preventing any future subdivision of those lands which conflicts with the orderly growth and development of the Town.~~

~~§ 108-148. Uses.~~

~~In the Defense Institutional District, no building, structure or premises shall be used, arranged or designed to be used and no structure shall hereafter be erected, reconstructed or altered unless otherwise provided in this chapter, except for any two of the following permitted uses, special permit uses and accessory uses:~~

~~A. Permitted uses. The following are permitted uses:~~

~~(1) Agriculture.~~

~~(2) National cemetery.~~

~~(3) Naval weapons testing facility.~~

~~B. Special permit uses. Approval is required of the Town Board for the special permit uses heretofore set forth:~~

~~(1) Airport.~~

~~(2) Utility structures and/or utility rights-of-way.~~

~~C. Accessory uses. The following accessory uses shall be permitted:~~

~~(1) Assembly, production, processing and testing of aircraft or other products related to naval weapons research.~~

~~(2) Buffer areas for naval weapons testing.~~

~~(3) Greenhouses, agricultural.~~

~~(4) Office buildings for businesses, governmental and professional uses, including administrative training, data processing, publication, financial and sales offices and related facilities in connection with such offices.~~

~~(5) Offices or agencies for scientific or technical development, including laboratories, libraries, administrative training, data processing, publication, financial offices and related facilities in connection with such uses, provided that:~~

~~(a) No such process shall involve or permit upon the premises any virus or other type of infectious organisms identified with diseases of animals or humans.~~

~~(b) No offensive gases, fumes, smoke, odors, dust or effluent shall emanate from such use, and no waste products shall be discharged therefrom of a character to create a nuisance or to be injurious to health.~~

~~(6) Indoor and outdoor recreation facilities, public and quasi-public.~~

~~(7) Central heating and power plants accessory to the principal use for the service of all structures on the premises.~~

~~(8) Fully enclosed storage facilities incidental to the principal use.~~

~~(9) Maintenance and utility shops incidental to the principal use.~~

~~(10) Other customary accessory uses incidental to the principal use on the site.~~

~~§ 108-149. Special requirements.~~

~~A. Pursuant to Article XXVI of this chapter, all permitted, special permit and accessory uses shall require site plan approval.~~

~~B. Off-street parking and loading shall conform to §§ 108-60 and 108-61 of this chapter.~~

~~C. Signage shall conform to the provisions of § 108-56 of this chapter.~~

~~D. All development in the Defense Institutional District shall conform to the screening and buffer requirements set forth in § 108-64.1 of this chapter.~~

~~ARTICLE XXVIII, Office/Service District [Added 6-4-1985]~~

~~§ 108-142. Purpose. [Amended 4-18-1989]~~

~~The purpose of this Article is to provide opportunity for the location of business and professional office, research facilities, institutional uses and similar activities in a well-planned, open setting in areas which are not necessarily appropriate for commercial or industrial activity or low-density residential development. In this area, such uses can be established in an attractive environment and serve both as a means of preserving the open qualities of an area and as a transition between more intense and less intense uses.~~

~~§ 108-143. Uses.~~

~~No building or premises shall be used and no building shall be erected, reconstructed, altered or added to unless otherwise provided in this Article, except for the following permitted uses, special exception or special permit uses and the customary accessory uses:~~

~~A. Permitted uses.~~

~~(1) Office buildings for businesses, governmental and professional uses, including administrative training, data processing, publication, financial and sales offices and related facilities in connection with such office uses.~~

~~(2) Offices or agencies for scientific or technical development, including laboratories, libraries, administrative training, data processing, publication, financial offices and related facilities in connection with such uses, provided that:~~

~~(a) No machinery or equipment shall be installed and no labor shall be engaged upon the premises for the manufacture, processing or assembly of goods or articles, except the manufacturing, processing or assembly of pilot prototypes or experimental products in which the close supervision by scientific personnel of a permitted research laboratory is required.~~

~~(b) All mechanical and other apparatus and manual services employed in such use shall be devoted to scientific research and technical development of manufactured, processed or compounded products.~~

~~(c) No such process shall involve the handling, storage or discharge of explosives or permit upon the premises any virus or other type of infectious organisms identified with diseases of animals or humans.~~

~~(d) No manufacturing, processing or assembly of goods or articles of any kind for sale shall be permitted on the premises, except for the sale of pilot prototypes or experimental products which are the result of the end product of scientific research, development or engineering.~~

~~(e) No offensive noises, gases, fumes, smoke, odors, dust, effluent or vibrations shall emanate from such use, and no waste products shall be discharged therefrom of a character to create a nuisance or to be injurious to health.~~

~~(f) The grounds and exterior of all buildings shall be kept and maintained in conformity with the prevailing standards of adjacent residential neighborhoods.~~

~~(3) Offices for service businesses in which no merchandise or physical product is sold, traded or serviced, such as but not limited to insurance, real estate, accounting and travel agency.~~
~~(4) Telephone exchanges.~~
~~(5) Computer centers.~~
~~(6) Radio and television studios.~~
~~(7) Bank and financial institutions.~~
~~(8) Conference centers.~~
~~(9) Public utility structures and utility rights-of-way, excluding garages or storage yards. Electric substations shall not be permitted, except by special permit.~~
~~(10) Museums, art galleries (but not public auction rooms), libraries or other cultural centers.~~
~~(11) Churches, religious schools, community centers, social clubs, lodges and civic clubs.~~
~~(12) Single-family residences which have a minimum lot area of 40,000 square feet and are of sufficient lot area to allow conformance with the off-street parking schedule for the Business PB District.~~
~~(13) Funeral homes and undertaking establishments.~~
~~(14) Restaurants (not including diners, cafeterias, drive-up types, fast-food facilities, luncheonettes, coffee shops, automats, canteens, delicatessens, take-out types) which provide for all food consumed upon the premises and require printed menu and table service, including catering facilities.~~
~~(15) Professional offices, offices, and service uses as defined by the following:~~
~~(a) Accountants.~~
~~(b) Architects.~~
~~(c) Artists.~~
~~(d) Attorneys.~~
~~(e) Audiologists.~~
~~(f) Bookkeepers.~~
~~(g) Chiropractors.~~
~~(h) Dentists.~~
~~(i) Draftsmen.~~
~~(j) Engineers.~~
~~(k) Income tax preparers.~~
~~(l) Insurance agents or brokers.~~
~~(m) Interior designers.~~
~~(n) Journalists.~~
~~(o) Medical doctors.~~
~~(p) Nursery schools.~~
~~(q) Optometrists.~~
~~(r) Osteopaths.~~
~~(s) Podiatrists.~~
~~(t) Photographers.~~

~~(u) Physical therapists.~~
~~(v) Real estate agents or brokers.~~
~~(w) Surveyors.~~
~~B. Special permit uses.~~
~~(1) The cutting, processing, polishing and mounting of precious stones, including the incidental sale thereof on the premises.~~
~~(2) The production, processing and assembly of small, light or microscopic or electronic parts or precision instruments in which the close supervision by scientific personnel of a permitted research laboratory is required.~~
~~(3) Transient hotels or motels, provided that:~~
~~(a) There shall not be less than 3,000 square feet of lot area per rentable sleeping room (up to two beds) contained therein if water and sewer systems are provided. Where water and sewer systems are not provided, 6,000 square feet per unit is required.~~

~~(b) Off-street parking space for each rentable room in a transient hotel or motel shall be provided within 100 feet of the ground floor entrance nearest to such accommodations, and designated by the room number thereof.~~
~~(c) Said hotel or motel shall be set back not less than 75 feet from any street and not less than 50 feet from any other lot line.~~
~~(d) As accessory to any such hotel or motel there may be a restaurant within the principal structure, provided that there is an additional off-street parking area on the basis of one parking unit for each four seats of such restaurant.~~
~~(4) Institutions for higher learning, including colleges, universities, junior colleges, technical schools, seminaries and convents, along with accompanying service and administration buildings, dormitories, fraternity and sorority houses and customary indoor and outdoor recreation facilities, such as playfields, gymnasiums and stadiums, subject to the following:~~
~~(a) The minimum lot area shall be 10 acres of contiguous land.~~
~~(b) No building, parking or loading area or recreation facility shall be nearer than 200 feet to any street or lot line.~~
~~(c) Each such recreation facility shall be operated primarily as an adjunct to some cultural, social or athletic activity of such institution of higher learning and not leased or otherwise operated primarily for the purpose of gain or profit.~~
~~(5) Health spas, provided that there is a central water hookup to the Riverhead Water District. This facility must also have sewer service or an on-site wastewater system which must be approved by the Suffolk County Department of Health Services.~~
~~(6) A use which provides for the location of a business, research facility, professional office, service or institutional use which is considered by the Town Board to be as a permitted, special permit or~~

~~accessory use and serves to achieve the goal of development which is well planned, is an open setting and acts as a transition between more intense and less intense uses.~~

~~C. Accessory uses. The following accessory uses shall be permitted, provided that none shall be within 50 feet of any lot line:~~

~~(1) Retail or personal service uses that are specifically designed as accessory to principal uses, such as but not limited to pharmacy, lunch counters, lunch stands, newsstands, barbershops and beauty parlors and shoe repair, provided that said retail or personal service accessory use shall have no separate exterior entrance and no exterior signs advertising said retail or personal service use. In addition, said accessory retail or personal service use shall not comprise more than 0.5% of the gross floor area of the principal uses to which it is accessory.~~

~~(2) Restaurants (not including diners, luncheonettes, drive-in and fast-food facilities) for the use of executives, employees and visitors of the principal use.~~

~~(3) Lodgings for visitors of the principal use.~~

~~(4) Indoor and outdoor recreation facilities for the exclusive use of employees, and guests of the principal use, and their families.~~

~~(5) In-service training schools for employees of the principal use.~~

~~(6) Private garages for the storage and service of motor vehicles owned by the owner of the principal use or the executives or employees thereof, or visitors thereto, including the sale to them, but not to the public generally, of gasoline, oil and minor accessories.~~

~~(7) Central heating and power plants accessory to the principal use and the service of all structures on the premises.~~

~~(8) Fully enclosed storage facilities incidental to the principal use.~~

~~(9) Maintenance and utility shops incidental to the principal use.~~

~~(10) Off-street parking and loading. Said areas shall not be nearer than 50 feet to any lot line or street, and if generally adjacent to any street or any residence district, shall be suitably screened by a landscaped strip of at least 25 feet in width, containing a shrubbery screen complying with all requirements set forth in the site plan and landscaping sections of this chapter, Article XXVI and § 108-64.1.~~

~~(11) Accessory signs subject to the applicable provisions of the sign regulations of the Town of Riverhead, § 108-56 of this chapter.~~

~~(12) Other customary accessory uses incidental to the principal use on the site.~~

~~(13) Trash compactors and dumpsters which are screened from sight.~~

~~D. Nonpermitted uses. No building structure, premise or lot in the Office/Service District shall be occupied for any of the following uses:~~

~~(1) Retail sales of consumer merchandise, unless the use is of the type permitted under § 108-143C(1) of this Article.~~

~~(2) Personal service uses, such as but not limited to pharmacy, lunch counters, newsstands, barbershops, beauty parlors, shoe repairs and dry~~

~~cleaners, unless of the type provided for under § 108-143C(1) of this Article.~~
~~(3) Theaters and cinemas.~~
~~(4) Game rooms.~~
~~(5) Mixed use buildings, except those provided under § 108-143C(1) of this Article.~~
~~(6) Gasoline service stations and auto repair facilities.~~
~~(7) Wholesale businesses, warehouses, building material and storage and sale, including storage of coal, coke, fuel oil or junk.~~
~~(8) Building, plumbing and electrical contractors.~~
~~(9) Cold storage plants and food processing plants.~~
~~(10) Motor vehicle sales, including the sale of recreational vehicles, trailers and boats.~~
~~(11) Car washes.~~
~~(12) Printing plants.~~
~~§ 108-144. General lot, yard and height requirements.~~
~~A. The minimum lot area shall be 80,000 square feet, unless otherwise specified.~~
~~B. The minimum lot width shall be 300 feet, unless otherwise specified.~~
~~C. The maximum building area, unless otherwise specified, shall be 15%.~~
~~D. Minimum yards.~~
~~(1) The minimum yards unless otherwise specified, shall be as follows:~~
~~(a) Front: 100 feet.~~
~~(b) Side: 50 feet.~~
~~(c) Rear: 100 feet.~~
~~(2) No building or structure will be permitted in required yards and no parking will be permitted within 25 feet of any property lines.~~
~~E. The maximum height shall be 35 feet. [Amended 4-18-1989]~~
~~F. A nonconforming lot separately owned and not adjoining any lot or land in the same ownership at the effective date of the creation of the Office/Service Zoning Use District and not adjoining any lot or land in the same ownership at any time subsequent to such date may be used, or a building or structure may be erected on such lot for use in accordance with all the other applicable provisions of the Zoning Ordinance, provided that proof of such separate ownership is submitted in the form of an abstract of title showing the changes of title to said lot, which abstract shall be in the usual form, shall be certified by an attorney or a company regularly doing such work in Suffolk County or by a corporation duly licensed to examine and insure title or real property in Suffolk County and shall contain a certification that no contiguous property was owned by an owner of the property involved since the date of the previously applicable Zoning Ordinance. Such lot shall be granted relief for side and rear yard dimensions as follows: [Amended 4-18-1989]~~

~~(1) The total dimensions of both side yards for a principal building shall be computed on the basis of 0.4 of the lot width; however, no side yard dimension shall be less than 0.4 of the total dimensions of both side yards computed as aforesaid, and no side yard dimension shall be less than 10 feet.~~

~~(2) The total rear yard dimension for a principal building shall be computed on the basis of 0.3 of the lot depth; however, no dimension for the rear yard of the principal building shall be less than 30 feet.~~

~~§ 108-145. Special requirements.~~

~~A. Off-street parking.~~

~~(1) Required parking for all principal and accessory uses shall be computed on the Town of Riverhead Parking Schedule except as follows: [Amended 4-18-1989]~~

~~Use Minimum Number of Parking spaces~~

~~Nonmedical offices 1 per 200 square feet of net leasable area~~

~~Retail and service use 1 per 200 square feet of net leasable area~~

~~(2) Required parking spaces snail be 10 feet wide and 20 feet long and shall be provided upon the same lot as the use to which they are accessory, except that required parking spaces may be provided by utilizing, on a shared use basis, parking facilities, including required parking for office buildings, situated on one or more adjacent lots, provided that agreements, satisfactory to the Town Attorney, assure the continued existence of such shared use parking to serve such hotel uses as long as they may exist. In no event shall such agreements for shared parking be terminated without the consent of the Town and unless the premises will provide parking facilities for its own use in accordance with all requirements of this section. In no event shall such parking and loading spaces be located in any residential district.~~

~~B. Off-street loading. One loading unit 15 feet wide by 45 feet long shall be provided for each 15,000 square feet of restaurant, service, banquet and meeting room space. No loading area shall be located within required front yards or driveways or blocking access to a required parking space.~~

~~C. Freshwater wetlands. No site preparation, grading, filling, excavating or development affecting property containing an identified wetlands shall begin prior to review by the appropriate authority. In the case of properties containing wetlands 12.4 acres or more or individual smaller wetlands determined to be of unusual importance, the reviewing agency shall be the New York State Department of Environmental Conservation under the authority of the Article 24 and Title 23 of Article 71 of the Environmental Conservation Law. In the case of properties containing wetlands of less area, the reviewing agency shall be the Riverhead Town Board under the authority of Town of Riverhead Local Law No. 5-1976, Chapter 107 of the Riverhead Town Code.~~

Dated: Riverhead, New York
October 5, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

W:\Laura Calamita\reso\business center zoning use district.doc

10/05/04

Adopted

TOWN OF RIVERHEAD

Resolution # 938

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (SHOPPING CENTER ZONING USE DISTRICT)

COUNCILMAN BARTUNEK 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 amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 13th day of September, 2004 at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, the proposed local law was referred to the Suffolk County Planning Commission in accordance with General Municipal Law §239-m.

NOW THEREFORE BE IT RESOLVED, that the proposed Local Law is a Type I action pursuant to 6 NYCRR §617.4(b)(2) but that no further State Environmental Quality Review compliance is required because the adoption of the subject Local Law is being carried out in conformance with the conditions and thresholds established for such action in the Generic Environmental Impact Statement prepared and accepted for the Town of Riverhead Comprehensive Plan and its Findings Statement on November 3, 2003, and be it further

RESOLVED, that a local law to amend 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 News Review newspaper 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; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

X:\Laura Calamita\reso\shopping center zoning use district.doc

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 entitled, "Zoning" (Shopping Center Zoning Use District) of the Riverhead Town Code at its regular meeting held on September 30, 2004 as follows:

§ 108.__ Shopping Center (SC) Zoning Use District.

1. Purpose and Intent.

The intent of the Shopping Center (SC) Zoning Use District is to provide adequate locations for moderate-sized convenience shopping centers, mainly on Route 58, in central locations that are accessible from adjacent neighborhoods by car, transit, walking, and biking, where residents may purchase daily necessities such as groceries. It is the further intent to allow increased floor area in the SC Zoning Use District with the use of transferred development rights where appropriate. Retail development is intended to be arranged in a shopping center layout, with large-scale stores complemented by ancillary small-scale stores. Professional office buildings are intended to be arranged in campus-style layout. Strip or freestanding development is discouraged.

2. Uses.

In the SC district, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted Uses.
   (1) Shopping centers (with a minimum size of 50,000 square feet of gross floor area)
   (2) Office campuses
   (3) Health clubs and spas
   (4) Restaurants

B. Accessory uses.
   Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot.

B. Prohibited uses

   (1) Motor vehicle dealerships
   (2) Boat dealerships

3. Lot, yard, bulk, & height requirements.

A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

B. In order to maintain the Town's scenic and rural quality, properties shall provide a contiguous landscaped area equal to at least five (5) percent of the lot area. Such open space area shall be landscaped with shrubs, flowers, rock gardens, ornamental grasses, or other plantings rather than grass lawns.

4. Supplementary requirements

The following design and parking requirements shall apply:

A. Design Standards.

(1) Retail development shall be arranged in a shopping center layout, with large-scale stores complemented by ancillary small-scale stores.
(2) Professional office and office buildings shall be arranged in campus-style layouts.
(3) Driveway openings and curb cuts shall be aligned with the existing curb cuts along Route 58 or other major arterial roads, in order to reduce the potential addition of traffic lights and conflicting turning movements.
(4) Continuous sidewalks, off-street transit stops (where routes exist or are planned) and bike racks close to business entrances shall be provided for properties fronting Route 58 or other major arterial street.
(5) Signage shall be provided in accordance with §108-56, the Riverhead Sign Ordinance.
(6) Buffering and transitions:
    a. Trash / dumpster areas shall be screened by wood fences or landscaping, or a combination thereof, pursuant to §98-8.
    b. Buffer plantings or opaque fences, preferably wood fences, shall be provided between commercial uses and adjoining residential uses or zones, as well as along frontages with arterial roads.

B. Parking Standards.

(1) The number of off-street parking spaces in the SC Zoning Use District shall be provided in accordance with §108-60, the Riverhead Parking Schedule.

(2) No off-street parking shall be allowed within ten (10) feet of any property line.

(3) Curb cuts to parking lots shall be minimized by sharing driveways and consolidating entrances for access to adjacent parking lots.

(4) Driveways shall be set back at least five feet from side property lines. However, driveways providing shared access to two or more properties are exempt from this standard.

(5) Where site grading and topography result in parking areas being located at higher elevation than and visible from the adjacent roadway, planted berms shall be used to screen the view of automobiles from the roadway.

(6) In order to soften the appearance of parking lots, parking lots shall be landscaped with ground cover, grasses, or low shrubs for at least 10 percent of their land area. This landscaping requirement is in addition to the 5 percent parcelwide landscaping mentioned above.

(7) In order to provide shade, parking lots with twenty-one (21) or more spaces shall have "orchard" planting: 1 tree per 10 off-street spaces. Such trees shall be spread throughout the parking lot, rather than clustered only along the edges.

(8) In order to provide recharge of the groundwater basin and minimize runoff, at least one of the following stormwater management techniques shall be used in parking lots where underlying soils support infiltration of precipitation to the groundwater:

a. Where sanding and salting are not used in the winter, low-traffic or seasonal parking-overflow areas of the parking lot shall be surfaced with porous pavement or gravel.

b. Landscaped areas of the parking lot shall be sited, planted, and graded in a manner to provide infiltration and detention of runoff from paved areas.

(9) Large surface parking areas shall be broken up by landscaped walkways connecting sidewalks and parking areas to business entrances, in order to create "parking fields" of no more than 250 spaces each.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

X:\Laura Calamita\reso\shopping center zoning use district.doc

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; the Riverhead Building Department and the Office of the Town Attorney.

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 entitled, "Zoning" (Shopping Center Zoning Use District) of the Riverhead Town Code at its regular meeting held on October 5, 2004 as follows:

Dated: Riverhead, New York
October 5, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

W:\Laura Calamita\reso\business center zoning use district.doc

10/05/04

Adopted

TOWN OF RIVERHEAD

Resolution #939

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (BUSINESS CENTER ZONING USE DISTRICT)

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

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

WHEREAS, a public hearing was held on the 13th day of September, 2004 at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, the proposed local law was referred to the Suffolk County Planning Commission in accordance with General Municipal Law §239-m.

NOW THEREFORE BE IT RESOLVED, that the proposed Local Law is a Type I action pursuant to 6 NYCRR §617.4(b)(2) but that no further State Environmental Quality Review compliance is required because the adoption of the subject Local Law is being carried out in conformance with the conditions and thresholds established for such action in the Generic Environmental Impact Statement prepared and accepted for the Town of Riverhead Comprehensive Plan and its Findings Statement on November 3, 2003, and be it further

RESOLVED, that a local law to amend 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 News Review newspaper 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; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

W:\Laura Calamita\reso\business center zoning use district.doc

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 entitled, "Zoning" (Business Center Zoning Use District) of the Riverhead Town Code at its regular meeting held on October 5, 2004 as follows:

§ 108.__ Business Center (BC) Zoning Use District

1. Purpose and Intent.

The intent of the Business Center (BC) Zoning Use District is to encourage small, freestanding roadside commercial uses, mainly along Route 58, between the existing Destination Retail Center (DRC) and Shopping Center (SC) Zoning Use Districts, with the employment of transferred development rights where appropriate.

2. Uses.

In the BC Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted Uses
   (1) Retail stores
   (2) Personal services
   (3) Restaurants, cafes, banquet facilities, and ice cream parlors
   (4) Bakeries with retail sales on premises, specialty food stores
   (5) Banks
   (6) Health clubs and spas
   (7) Radio or television broadcast studios
   (8) Offices
   (9) Professional offices
   (10) Dealerships for new motor vehicle and boat sales

B. Special Permit Uses.
   (1) Car washes
   (2) Motor vehicle repair shops

C. Accessory uses.
   Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically permitted are the following:

   (1) Drive-thru windows for pickup of prescriptions only in drug stores
   (2) Sales of pre-owned motor vehicles and boats, as accessory to a dealership for new motor vehicles and boats

3. Lot, yard, bulk, & height requirements.

A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

B. In order to maintain the Town's scenic and rural quality, properties shall provide a contiguous landscaped area equal to at least five (5) percent of the lot area. Such open space area shall be landscaped with shrubs, flowers, rock gardens, ornamental grasses, or other plantings rather than grass lawns.

4. Supplementary requirements

The following design and parking requirements shall apply:

A. Design Standards.
   (1) Driveway openings and curb cuts shall be aligned with the existing curb cuts along Route 58 or other major arterial roads, in order to reduce the potential addition of traffic lights and conflicting turning movements.
   (2) Signage shall be provided in accordance with §108-56, the Riverhead Sign Ordinance.
   (3) Buffering and transitions:
      a. Trash / dumpster areas shall be screened by wood fences or landscaping, or a combination thereof, pursuant to §98-8.
      b. Buffer plantings or opaque fences, preferably wood fences, shall be provided between commercial uses and adjoining residential uses or zones.
      c. Deliveries and loading activities shall to the extent possible be restricted to the hours between 8 AM and 5 PM on weekdays.

B. Parking Standards.
   (1) The number of off-street parking spaces in the BC Zoning Use District shall be provided in accordance with §108-60, the Riverhead Parking Schedule.
   (2) Where credible evidence is provided by traffic counts or data by a licensed traffic engineer, up to 20 percent reduction in off-street parking may be permitted for shared parking, where the peak parking of two or more uses occurs at different times.
   (3) No off-street parking shall be allowed within ten (10) feet of any property line.

(4) Curb cuts to parking lots shall be minimized by sharing driveways and consolidating entrances for access to adjacent parking lots.

(5) Curb cuts, driveways, and garages shall meet the following dimensional regulations:

a. Curb cuts and driveways at the front property line leading to parking areas of ten (10) or fewer spaces shall not exceed ten (10) feet in width along any point.

b. Curb cuts and driveways at the front property line leading to parking areas of eleven (11) or more spaces shall not exceed fourteen (14) feet in width at any point.

c. The maximum width of garage entryways facing a front street shall not exceed eighteen (18) feet.

(6) Shared parking lots with cross-access agreements are encouraged so as to allow drivers to park in one lot and walk to other businesses without moving their cars, or to drive from one lot to another without returning to the street.

(7) Driveways shall be set back at least five feet from side property lines. However, driveways providing shared access to two or more properties are exempt from this standard.

(8) Where site grading and topography result in parking areas being located at higher elevation than and visible from the adjacent roadway, planted berms shall be used to screen the view of automobiles from public roadways.

(9) In order to provide shade, parking lots with twenty-one (21) or more spaces shall have "orchard" planting: 1 tree per 10 off-street spaces. Such trees shall be spread throughout the parking lot, rather than clustered only along the edges.

(10) In order to soften the appearance of parking lots, parking lots shall be landscaped with ground cover, grasses, or low shrubs for at least 10 percent of their land area. This landscaping requirement is in addition to the 5 percent parcelwide landscaping mentioned above.

(11) In order to provide recharge of the groundwater basin and minimize runoff into water bodies, at least one of the following stormwater management techniques shall be used in parking lots where underlying soils support infiltration of precipitation to the groundwater:

a. Where sanding and salting are not used in the winter, low-traffic or seasonal parking-overflow areas of the parking lot shall be surfaced with porous pavement or gravel.

b. Landscaped areas of the parking lot shall be sited, planted, and graded in a manner to provide infiltration and detention of runoff from paved areas.

Dated: Riverhead, New York
October 5, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

W:\Laura Calamita\reso\business center zoning use district.doc

10/05/04

TOWN OF RIVERHEAD Adopted

Resolution # 940

ACCEPTS CASH SECURITY OF ALEXANDER-TUTHILL FUNERAL HOME, INC. (PARKING LOT EXPANSION)

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

WHEREAS, Dean A Alexander has posted a cash security in the sum of Four Thousand Five Dollars ($4,500)(check #898 Dean A Alexander) representing the 5% site plan security as noted in the approved site plan dated December 16, 2003 Resolution #1337 for additional parking facilities located at 6447 Route 25A, Wading River, New York 11792, Suffolk County Tax Map # 600-73.-1-1.2, pursuant to Section 108-133 (I) of the Riverhead Town Code;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% cash security in the sum of Four Thousand Five Hundred Dollars ($4,500); 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 Dean A Alexander, 6447 Route 25A, Po Box 695, Wading River, New York 11792, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

October 5, 2004

Adopted

TOWN OF RIVERHEAD

EXTENDS BID FOR DIESEL FUEL

Resolution # 941

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

WHEREAS, the Purchasing Department has requested the contract with Quogue Sinclair Fuel, Inc., originally awarded under Resolution #824 adopted April 3, 2001, be extended until August 6, 2005; and

WHEREAS, the above named vendor has agreed to extend the contract until August 6, 2005 for +.103 per gallon above the Journal of Commerce Oil Price Daily listing; and

WHEREAS, the Town Board has reviewed said request.

NOW, THEREFORE, BE IT

RESOLVED, that the contract for DIESEL FUEL is extended until August 6, 2005.

RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a Certified Copy of this Resolution to Quogue Sinclair Fuel, Inc. and the Purchasing Department.

THE VOTE

Bartunek	☒ Yes ☐ No	Sanders	☒ Yes ☐ No
Blass	☒ Yes ☐ No	Densieski	☒ Yes ☐ No
Cardinale	☒ Yes ☐ No		

The Resolution Was ☒ Was Not ☐

Z:\Purchasing\BIDS04\Reso.Extends.Diesel Fuel.doc

RESOLUTION #942 ABSTRACT #40-04 SEPTEMBER 23, 2004 (TBM 10/05/04)

Councilwoman Sanders offered the following Resolution which was seconded by Councilman Densieski

FUND NAME		CD - NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	$ -	48,660.65	48,660.65
POLICE ATHLETIC LEAGUE	4	$ -	5,827.80	5,827.80
TEEN CENTER FUND	5	$ -	$330.00	330.00
RECREATION PROGRAM FUND	6	$ -	12,240.72	12,240.72
R.I.F.T.A. FUND	23	$ -	666.35	666.35
HIGHWAY FUND	111	$ -	25,451.23	25,451.23
WATER DISTRICT	112	$ -	38,512.15	38,512.15
RIVERHEAD SEWER DISTRICT	114	$ -	5,280.89	5,280.89
REFUSE & GARBAGE COLLECTIO	115	$ -	193,381.22	193,381.22
STREET LIGHTING DISTRICT	116	$ -	3,372.22	3,372.22
PUBLIC PARKING DISTRICT	117	$ -	351.79	351.79
RIVERHEAD SCAVANGER WASTE	128	$ -	9,943.59	9,943.59
WORKERS' COMPENSATION FUND	173	$ -	19,307.20	19,307.20
CDBG CONSORTIUM ACOUNT	181	$ -	1,916.69	1,916.69
TOWN HALL CAPITAL PROJECTS	406	$ -	313,330.25	313,330.25
MUNICIPAL FUEL FUND	625	$ -	7,904.28	7,904.28
MUNICIPAL GARAGE FUND	626	$ -	21,639.42	21,639.42
TRUST & AGENCY	735	$ -	38,703.00	38,703.00
TOTAL ALL FUNDS			746,819.45	746,819.45

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no

Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

October 5th, 2004

TOWN OF RIVERHEAD

Adopted

Resolution # 943

APPROVES AMENDED SITE PLAN OF WADING RIVER PROFESSIONAL BUILDINGS - (James Tsunis)

COUNCILMAN DENSIESKI offered the following resolution, which was seconded by COUNCILMAN BARTUNEK:

WHEREAS, by Resolution #1128, dated December 19, 2000, the Riverhead Town Board did approve the site plan of Wading River Professional Buildings (James Tunis), for construction of five (5) separate professional buildings, located at Route 25A, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-075.00-01-009.00, and

WHEREAS, Peter Danowski, as agent for James Tsunis, has requested that an amendment to the aforementioned site plan be approved by the Riverhead Town Board to allow the construction of a playground as an accessory use, and

WHEREAS, the Planning Department has reviewed such amendment and has recommended that the Town Board accept such modification, and

WHEREAS, this Town Board has reviewed the modification aforementioned; and

WHEREAS, the site plan amendment fee in the amount of $500.00, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Check Number 2004-0506 of the Office of the Financial Administrator of the Town of Riverhead;

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Riverhead does hereby amend the site plan approval of TAB LLC as depicted by the site plan prepared by Harold F. Tranchon, Jr. LS., dated June 8th, 2004.

BE IT FURTHER

RESOLVED, that no Certificate of Occupancy shall be issued by the Riverhead Building Department prior to the resolution of all Riverhead Justice Court matters

concerning the subject real property and all site improvements shall conform to the provisions of the Business E Zoning Use District.

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Martin Sendlewski, AIA, 215 Roanoke Avenue, Riverhead, New York 11901, the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office, and Office of the Town Attorney.

THE VOTE

Bartunek ✓ yes ___ no Sanders ___ yes ✓ no

Blass ___ yes ✓ no ___ Densieski ✓ yes ___ no

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED