SPECIAL TOWN BOARD MEETING
OCTOBER 21, 2004

Res. #990A	Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Rural Corridor (RLC) Zoning Use District)
Res. #991	Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Hamlet Center (HC) Zoning use District)
Res. #992	Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Village Center (VC) Zoning Use District)
Res. #993	Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Business CR Zoning Use District)
Res. #994	Amends Town of Riverhead Zoning Use District Schedule (Business CR Zoning use District, Hamlet Center (HC) Zoning Use District, Village Center (VC) Zoning Use District and the Rural Corridor (RLC) Zoning use District)
Res. #995	Amends Zoning Map, Town of Riverhead, Suffolk County, New York
Res. #996	Ostad Open Space Preservation Budget Adjustment
Res. #997	Irma Murphy Open space Acquisitions Budget Adjustment **TABLED**

10/21/04

Adopted

TOWN OF RIVERHEAD

Resolution #990A

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (RURAL CORRIDOR (RLC) 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 1:45 p.m. at 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.

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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" (Rural Corridor (RLC) Zoning Use District) of the Riverhead Town Code at its special meeting held on October 21, 2004 as follows:

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

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§ 108.__ Rural Corridor (RLC) Zoning Use District.

1. **Purpose and Intent.**
   The intent of the Rural Corridor (RLC) Zoning Use District is to allow a very limited range of roadside shops and services that are compatible with the agricultural and rural setting along major arterial roads, such as New York State Route 25, leading into Downtown Riverhead and areas zoned Hamlet Center (HC) or Village Center (VC).

2. **Uses.**
   In the RLC 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) Agricultural production
      (2) Antique stores and craft stores
      (3) Retail stores or shops on properties with frontage along either side of New York State Route 25 between South Jamesport and Washington Avenues and their logical extensions.
      (4) Nurseries
      (5) Museums
      (6) Libraries
      (7) Schools
      (8) Places of worship
      (9) Parks and playgrounds
      (10) Single-family and two-family houses

   B. Special Permit Uses

      (1) Professional offices, provided they are within one-quarter (¼) mile of the Hamlet Center (HC) or Village Center (VC) Zoning Use Districts.
      (2) Country inns, provided they are within one-quarter (¼) mile of the HC or VC Zoning Use Districts.
      (3) Funeral homes, provided they are within one-quarter (¼) mile of the HC or VC Zoning Use Districts.
      (4) Bistros, cafes.
      (5) Bed and breakfast establishments

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) Farmstands
(2) Wine tasting rooms

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. New buildings in the RLC Zoning Use District shall comply with the lot, yard, bulk, & height requirements of the Zoning Schedule. However, the Town Board shall have discretion during site plan approval to grant variances in front setbacks based on the contextual pattern of nearby commercial or residential properties, so as to maintain a unified street wall pattern.

4. Supplementary Requirements

The following design and parking standards shall apply:

A. Design Standards:
(1) For all parcels three (3) acres or greater in area, the proposed floor area shall be distributed into a minimum of four (4) buildings, with no building having a footprint greater than 5,000 square feet.
(2) Properties within one-quarter (¼) mile of a Downtown Center (DC), Hamlet Center (HC) or Village Center (VC) Zoning Use District shall provide sidewalks within the public right-of-way abutting their properties. Otherwise sidewalks are specifically discouraged.
(3) In order to minimize their visual impacts on the predominantly rural corridors, non-agricultural uses shall be housed in residential or farm-style buildings.
(4) Non-agricultural use buildings should echo the character of the district's residences or farmhouses in terms of shape, roofline, and massing. The exteriors of buildings shall utilize natural cladding materials such as wood, brick, stucco, stone or a combination of such materials. The use of synthetic, metallic, and reflective materials should be avoided.

(5) Agricultural-use buildings should harmonize with the agricultural character of the area through appropriate use of materials, paint colors, and landscaping.
(6) Signage shall be provided in accordance with §108-56, the Riverhead Sign Ordinance.

B. Parking Standards.
(1) The number of off-street parking spaces in the RLC Zoning Use District shall be provided in accordance with §108-60, the Riverhead Parking Schedule.
(2) Parking is prohibited in the front yard. Parking shall be provided to the side or rear of buildings.
(3) 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.
(4) In order to provide shade, parking lots with twenty-one (21) or more spaces shall have "orchard" planting for shade: 1 tree per 10 off-street spaces. Such trees shall be spread throughout the parking lot, rather than clustered only along the edges.
(5) In order to soften the appearance of parking lots, parking lots shall be landscaped with groundcover, grasses, or low shrubs for at least 15 percent of their land area.
(6) In order to provide recharge of the groundwater basin and minimize runoff into water bodies, at least one of the following stormwater management measures shall be used in parking lots where underlying soils support infiltration of precipitation to the groundwater:
a. Entire parking areas shall be surfaced with gravel, rather than impervious pavement.
b. 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.
c. Landscaped areas shall be sited, planted, and graded in a manner to provide infiltration and detention of runoff from paved areas.

Dated: Riverhead, New York
October 21, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

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10/21/04

Adopted

TOWN OF RIVERHEAD

Resolution #991

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (HAMLET CENTER (HC) 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 1:30 p.m. at 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.

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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 CR Zoning Use District) of the Riverhead Town Code at its special meeting held on October 21, 2004 as follows:

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

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§ 108.__ Hamlet Center (HC) Zoning Use District

1. Purpose and Intent.

The intent of the Hamlet Center (HC) Zoning Use District is to provide small clusters of shops and professional services in a rural setting, with a residential character. Development is intended to be pedestrian-friendly, small-scale, and clustered in a campus-style pattern. The HC Zoning Use District is intended to have larger front and side setbacks and more landscaping than the Village Center (VC) Zoning Use District.

2. Uses.

In the HC 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) Art galleries and arts and craft shops
(3) Antiques stores and home furnishing stores
(4) Personal services
(5) Specialty food stores, wine shops and bakeries with retail sales on premises
(6) Restaurants, cafes, banquet facilities, and ice cream parlors
(7) Offices
(8) Professional offices
(9) Museums
(10) Libraries
(11) Schools
(12) Places of worship
(13) Apartments on upper floors

B. Special Permit Uses.

(1) Bed-and-breakfast establishments
(2) Indoor recreation facilities

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.

D. Prohibited uses.

(1) Single- and two-family dwelling units
(2) Townhouses
(3) Single retail stores with a floor area exceeding 10,000 square feet
(4) Convenience stores
(5) Gasoline service stations
(6) Residences on ground floors

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. New buildings in the HC Zoning Use District shall comply with the lot, yard, bulk, & height requirements of the Zoning Schedule. However, the Town Board shall have discretion during site plan approval to grant variances in front setbacks based on the contextual pattern of nearby commercial or residential properties, so as to maintain a unified street wall pattern.

C. Exemptions

Bay windows, unenclosed porches, and other projections shall be exempt from calculation of building area, in order to provide incentives for variety in façade design. However, such projections shall be required to meet the setback requirements of the Zoning Schedule.

4. Supplementary requirements.

The following design and parking standards shall apply:

A. Design standards

(1) The principal building entrance and front shall face the primary street frontage and sidewalk.

(2) Building design and landscaping should serve to reinforce and announce the main pedestrian building entrances.

(3) Walkways shall be provided for safe and convenient pedestrian access from sidewalks to storefront entries, and from storefronts to adjacent public parks and residential and commercial areas.

(4) Special materials, such as brick or cobblestones and picket fences, are encouraged for walkways in hamlet areas, particularly those with older or historic buildings.

(5) For ground-floor commercial space, at least 50 percent of the linear width of the front façade shall be comprised of transparent windows. Where shade is desired, awnings are encouraged. Windows may not be obscured more than 20 percent by opaque banners, or either permanent or temporary advertisements or signs.

(6) The exteriors of buildings shall utilize natural cladding materials such as wood, brick, stucco, stone or a combination of such materials. The use of synthetic, metallic, and reflective materials should be avoided.

(7) Building shape, proportions, massing, and design should be appropriate to the historic character of the hamlet in which the building is located. Architectural features such as porches, porticoes, shutters, decorative door and window frames, balconies, cornices, dormers, chimneys, turrets, and spires should be used to reinforce a pedestrian scale and create interest and variety in the façade.

(8) Signs shall be provided in accordance with §108-56, the Riverhead Sign Ordinance.

(9) 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 landscaping 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 HC 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) Parking requirement may be reduced with payment of a fee or land dedication in lieu of providing off-street parking as provided for in §108-60.

(4) Off-street parking areas or garages shall be recessed at least fifteen (15) feet back from the front property line.

(5) Curb cuts to parking lots and garages shall be minimized by sharing driveways for access to adjacent parking lots. However, curb cuts and driveways are prohibited along the front property line for properties less than thirty (30) feet in width; in these situations, parking must be accessed from a rear alley, side street, or shared rear lot.

(6) 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.

(7) 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.

(8) In order to soften the appearance of parking lots, parking lots shall be landscaped with groundcover, grasses, or low shrubs for at least 15 percent of their land area.

(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 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. Entire parking areas shall be surfaced with gravel, rather than pavement.
   b. 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.

c. 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 21, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

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10/21/04

Adopted

TOWN OF RIVERHEAD

Resolution #992

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

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

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 1:20 p.m. at 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.

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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" (Village Center (VC) Zoning Use District) of the Riverhead Town Code at its special meeting held on October 21, 2004 as follows:

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

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§ 108.__ Village Center (VC) Zoning Use District

1. Purpose and Intent.

The intent of the Village Center (VC) Zoning Use District is to transform village commercial nodes into vibrant "Main Streets" with small shops, restaurants, and professional services following a traditional pattern of development and design in a compact, pedestrian-oriented setting.

2. Uses.

In the VC 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) Antiques stores
(3) Art galleries
(4) Arts and crafts shops
(5) Personal services
(6) Restaurants, cafes, banquet facilities and ice cream parlors
(7) Bakeries with retail sales on premises, and specialty food stores
(8) Banks
(9) Offices on upper floors
(10) Professional offices on upper floors
(11) Museums
(12) Libraries
(13) Schools
(14) Places of worship
(15) Parks and playgrounds
(16) Apartments on upper floors

B. Special Permit Uses.

(1) Indoor recreation facilities
(2) Day care establishments and nursery schools
(3) Live entertainment as a principal use
(4) Bed-and-breakfast establishments

(5) One-family dwellings

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) Home occupations

D. Prohibited uses.

(1) Two-family dwelling units
(2) Townhouses
(3) Apartments on ground floors
(4) Offices, including professional offices, on ground floors
(5) Drive-thru windows

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. New buildings in the VC Zoning Use District shall comply with the lot, yard, bulk, & height requirements of the Zoning Schedule. However, the Town Board shall have discretion during site plan approval to grant variances in front setbacks based on the contextual pattern of nearby commercial or residential properties, so as to maintain a unified street wall pattern.

4. Supplementary Requirements.

The following design and parking requirements shall apply:

A. Design Standards.
(1) The principal building entrance and front shall face the primary street frontage and sidewalk.
(2) Building design and landscaping should serve to reinforce and announce the main pedestrian building entrances.
(3) Development shall provide walkways for safe and convenient pedestrian access to storefront entries from sidewalks, and to link

storefronts to any nearby public parks and residential and commercial areas.

(4) For ground-floor commercial space, at least 25 percent of linear width of the front façade shall be comprised of transparent windows. Where shade is desired, awnings are encouraged. Windows may not be obscured more than 20 percent by opaque banners, or either permanent or temporary advertisements or signs.

(5) The exteriors of buildings shall utilize natural cladding materials such as wood, brick, stucco, stone or a combination of such materials. The use of synthetic, metallic, and reflective materials should be avoided.

(6) Building shape, proportions, massing, and design should be appropriate to the historic character of the commercial center in which the building is located. Architectural features such as porches, porticoes, shutters, decorative door and window frames, balconies, cornices, dormers, chimneys, turrets, and spires should be used to create pedestrian-scale interest and variety in the façade.

(7) Signs shall be provided in accordance with §108-56, the Riverhead Sign Ordinance.

(8) 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 landscaping 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 VC 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) Parking requirement may be reduced with payment of a fee or land dedication in lieu of providing off-street parking as provided for in §108-60.

(4) Off-street parking shall not be permitted in the front yard. Parking shall be sited to rear of buildings, away from street frontage(s) when

possible, or to the side of buildings. In all cases, garages and parking areas shall be recessed at least five (5) feet from the primary front façade plane of the main building, and at least fifteen (15) feet back from the front property line.

(5) Curb cuts to parking lots and garages shall be minimized by sharing driveways for access to adjacent parking lots. However, curb cuts and driveways are prohibited along the front property line for properties less than thirty (30) feet in width; in these situations, parking must be accessed from a rear alley, side street, or shared rear lot.

(6) 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.

(7) 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.

(8) In order to soften the appearance of parking lots, parking lots shall be landscaped with groundcover, grasses, or low shrubs for at least 15 percent of their land area.

(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 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. Entire parking areas shall be surfaced with gravel, rather than pavement.

b. 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.

c. 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 21, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

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10/21/04

TOWN OF RIVERHEAD

Resolution # 993

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (BUSINESS CR 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 1:30 p.m. at 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.

W:\Laura Calamita\reso\ZoneBusinessCR.ado.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 CR Zoning Use District) of the Riverhead Town Code at its special meeting held on October 21, 2004 as follows:

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

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§ 108.__ Business CR Zoning Use District (Rural Neighborhood Business)

(1) Purpose and Intent.

The intent of the Business CR Zoning Use District is to allow for the development of small clusters of shops, including eating and drinking establishments and professional offices, geared primarily toward providing daily services to residents in the adjacent residential areas. The scale and design of new development in this district are intended to complement the rural character of the town and preserve and enhance natural open space areas and habitat. Where lot sizes and depths permit, development is intended to be clustered in a campus-style pattern.

(2) Uses.

In the Business CR 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) Specialty food stores, wine shops and bakeries with retail sales on premises
(3) Personal services
(4) Restaurants, cafes, and ice cream parlors
(5) Professional offices
(6) Professional studios and performing arts studios
(7) Public libraries
(8) Museums
(9) Schools

B. Special Permit Uses.

(1) Bed-and-breakfast establishments
(2) Day care centers or nursery schools
(3) Country Inns

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.

D. Prohibited uses.

(1) Retail stores with a floor area exceeding 10,000 square feet
(2) Drive-thru windows or establishments
(3) Car washes
(4) An automobile sales lot; motor vehicle salesroom; public or private garage; or storage warehouse or wholesale establishment.
(5) Any vending machine or amusement device located outside of any structure. This prohibition does not apply to electronic funds-transfer-facility substations.
(6) Any display, storage or sale of goods, wares or merchandise outside of any structure in any area other than that indicated for such outdoor display, storage or sale on an approved site plan. Such display, storage or sale areas shall not encroach on any landscaped areas, parking areas or areas intended for customer access.
(7) Flea markets
(8) Rolling or sliding security-type grilles and doors.

(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.

(4) Supplementary requirements.

The following design and parking standards shall apply:

A. Design standards

(1) For all parcels three (3) acres or greater in area, the proposed floor area shall be distributed into a minimum of four (4) buildings.
(2) For all parcels, the front yard shall be landscaped, except for areas devoted to walkways and an optional, limited amount of parking. Parking is allowed in the front yard only as follows:

a. No more than twenty percent of the parking supply may be provided in front and street-facing side yards combined; see Section B(4) below for more information.
b. Only one row of parking is allowed in front yards, with a paved area not to exceed forty (40) feet in depth, measured perpendicular to the front street.
c. To mitigate the appearance of any parking in the front yards, any front yard parking areas shall be set back at least thirty (30) feet within landscaped front yards.

(3) For corner parcels, the street-facing side yard shall be landscaped, except for areas devoted to walkways and an optional, limited amount of parking. Parking is allowed in street-facing side yards only as follows:
a. No more than twenty percent of the parking supply may be provided in front and street-facing side yards combined; see Section B(4) below for more information.
b. Only one row of parking is allowed in street-facing side yards, with a paved area not to exceed forty (40) feet in depth, measured perpendicular to the side street.
c. To mitigate the appearance of any parking in street-facing side yards, parking areas shall be set back at least fifteen (15) feet within landscaped side yards.

(4) The central organizing element for buildings in the Business CR Zoning Use District shall be one or more "central squares," such as greens, plazas, or courtyards:
a. Such central squares shall open towards, and be visible from, front streets and any adjoining side streets.
b. Such central squares shall measure at least 30 feet by 50 feet.
c. The open space(s) provided by central squares shall be outside of and in addition to the required front and side yards.
d. Central squares shall include landscaping, plantings, decorative pavers, seating, outdoor eating areas, shade elements, and other features so as to create attractive public spaces that serve as amenities for shoppers and nearby residents.

(5) No structures are allowed within front, side, or rear yards.

(6) Buildings shall be arranged along one, two, or three sides of the central squares, and their main entries shall face these spaces.

(7) Secondary building entries may be provided from rear parking areas; however, such entries shall not remove the need for a front entrance facing the central square.

(8) In no case shall the rear of buildings face a public street, and in no case shall the front of a building face a rear service access road or a side driveway.

(9) Where the Town Official Map indicates a service access road, a fifty-foot-wide easement shall be provided within the rear yard for construction of an access road.

(10) Building design and landscaping shall serve to reinforce and announce the main pedestrian building entrances.

(11) Development shall provide walkways for safe and convenient pedestrian access to storefront entries from all parking areas and public sidewalks, and where possible, to link storefronts to adjacent residential areas.

(12) Building placement shall, wherever possible, minimize walking distances from rear parking areas to front building entries; for example, by breaking large buildings into smaller units of less than 200 feet in width, interspersed with walkways.

a. Breaks between buildings where automobile access is not necessary shall provide for safe and attractive pedestrian walkways and shall be at least fifteen (15) feet wide.

b. Breaks between buildings where automobile or truck access is necessary (such as to rear parking lot access roads or driveways) shall provide a combined roadway and sidewalk of at least thirty (30) feet in width, including one eight-foot-wide sidewalk.

(13) Facades of commercial buildings that face streets, central squares, or pedestrian walkways shall be broken up into bays of no more than thirty (30) feet in width, through use of variations in façade plane, piers, or other architectural features.

(14) At least fifty (50) percent of the linear width of façades facing streets or pedestrian pathways shall be comprised of transparent windows. Where shade is desired, awnings are encouraged. Windows may not be obscured more than twenty (20) percent by opaque banners, or either permanent or temporary advertisements or signs. In no case shall blank walls face a public street.

(15) The exteriors of buildings in the Business CR District shall utilize natural cladding materials such as wood, brick, stucco, stone or a combination of such materials. The use of synthetic, metallic, and reflective materials should be avoided.

(16) Signs shall be provided in accordance with §108-56, the Signage Ordinance.

(17) Buffering and transitions:

a. Trash / dumpster areas shall be screened by wood fences or landscaping, or a combination thereof, pursuant to §98-8.

b. Front yards, street-facing side yards, and rear yards shall be landscaped or maintained as natural open space. To the extent possible, existing woodlands, stands of or individual trees, and

other unique, indigenous, or significant vegetation within such setbacks should be protected.

c. Buffer landscaping shall be provided between commercial uses and adjoining residential uses or zones. Such plantings shall include canopy trees and evergreens that may reach a mature height of not less than the commercial structures, and planted in sufficient quantity to screen views of the commercial structures from residential areas. However, buffer landscaping shall not interfere with the potential for pedestrian access from residential areas to the commercial businesses.

B. Parking Standards

(1) The number of off-street parking spaces in the Business CR 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) Parking requirement may be reduced with payment of a fee or land dedication in lieu of providing off-street parking as provided for in § 108-60.

(4) No more than twenty (20) percent of the required parking supply may be provided in front and street-facing side yards. Any parking in front or street-facing side yards shall be sited within the rear portion of said yard, behind landscaping. The remaining eighty (80) percent or more of the parking supply shall be sited to the rear or side of buildings, adjacent to interior lot lines or access driveways, and away from front and side street frontages.

(5) Curb cuts shall be limited to one curb cut every four hundred (400) linear feet on public front and side streets. Driveway entrances to adjacent parking lots shall be shared and consolidated.

(6) 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.

(7) 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.

(8) In order to soften the appearance of parking lots, parking lots shall be landscaped with groundcover, grasses, or low shrubs for at least 15 percent of their land area.

(9) Parking lots with twenty-one (21) or more spaces shall have "orchard" planting for shade: 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 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. Entire parking areas shall be surfaced with gravel, rather than pavement.

b. 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.

c. 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.

(11) 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.

C. Additional Requirements

(1) Hours of operation of retail business establishments. As used herein, a "retail business establishment" shall mean and include a retail store or shop or other business establishment in which goods, wares, foods, commodities, articles or products are sold at retail, except that a "retail business establishment" shall not be construed to include any business establishment licensed to sell alcoholic beverages at retail for on-premises consumption. No retail business establishment shall remain open for business during the five-hour period between 12:00 midnight and 5:00 a.m. Every retail business establishment shall be closed to the public during the aforementioned five-hour period, and business with the public therein is prohibited after the hour of 12:00 midnight and before the hour of 5:00 a.m. of every day.

Dated: Riverhead, New York
October 21, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

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10/21/04

Adopted

TOWN OF RIVERHEAD

Resolution # 994

AMENDS TOWN OF RIVERHEAD ZONING USE DISTRICT SCHEDULE (BUSINESS CR ZONING USE DISTRICT, HAMLET CENTER (HC) ZONING USE DISTRICT, VILLAGE CENTER (VC) ZONING USE DISTRICT AND THE RURAL CORRIDOR (RLC) 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 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 CR Zoning Use District, Hamlet Center (HC) Zoning Use District, Village Center (VC) Zoning Use District and the Rural Corridor (RLC) Zoning Use District, 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 CR Zoning Use District, Hamlet Center (HC) Zoning Use District, Village Center (VC) Zoning Use District and the Rural Corridor (RLC) Zoning Use District; 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 Town of Riverhead Zoning Use District Schedule shall be amended as specified in the attached notice of adoption; 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.

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TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted an amended Zoning Use District Schedule, Town of Riverhead, Suffolk County at its special meeting held on October 21, 2004 as follows:

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

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Town of Riverhead
Commercial Districts Schedule of Dimensional Regulations
Adopted 10-21-2004 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)
Hamlet Center (HC)	5,000	50	35	35	NA	60	35	0.50	0.50	NA	25	15	30	25	50	25
Village Center (VC)	5,000	50	80	80	NA	100	35	1.00	1.00	NA	10	0	0	10	20	25
Rural Corridor (RLC)	40,000	200	10	10	NA	25	35	0.10 (N1)	0.10	NA	50	25	50	50	100	50
Business CR	40,000	200	15	15	NA	75	35	0.20	0.20	NA	30	25	50	30	60	25

NOTES:

1. The Floor Area Ratio (FAR) for retail stores or shops shall be calculated utilizing the frontage along the major arterial highway to a depth of no more than 500 linear feet.

Dated: Riverhead, New York
October 21, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

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10/21/04

Adopted

TOWN OF RIVERHEAD

Resolution # 995

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 Business CR Zoning Use District, Hamlet Center (HC) Zoning Use District, Village Center (VC) Zoning Use District and the Rural Corridor (RLC) 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.

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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 special meeting held on October 21, 2004 as follows:

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

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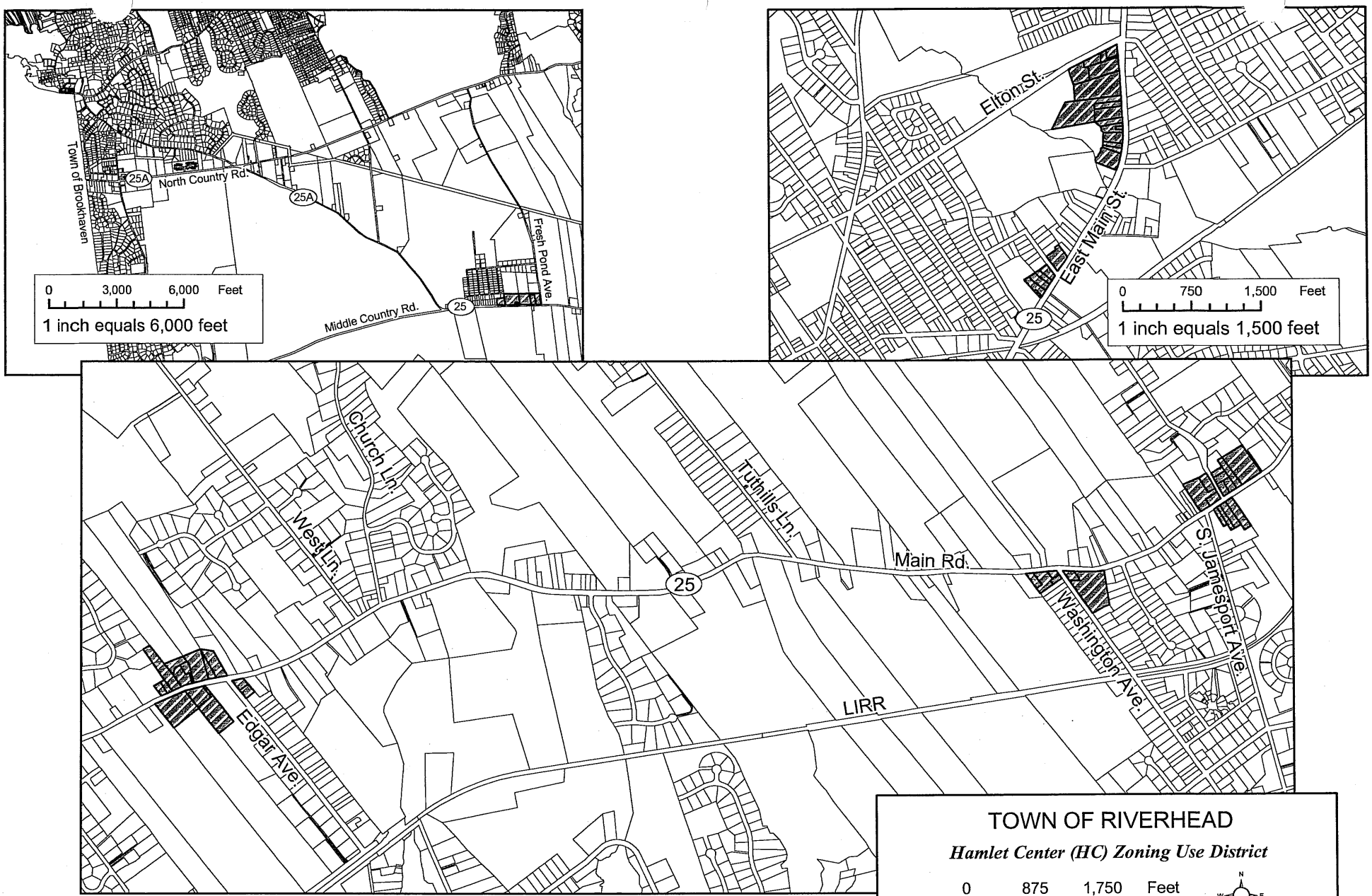


TOWN OF RIVERHEAD

Hamlet Center (HC) Zoning Use District

0 875 1,750 Feet

1 inch equals 1,750 feet

Source: Town of Riverhead Planning Department, 21 October 2004;
Suffolk County Real Property Tax Service Agency, Copyright 2003, County of Suffolk, NY

Village Center (VC) Zoning Use District

TOWN OF RIVERHEAD

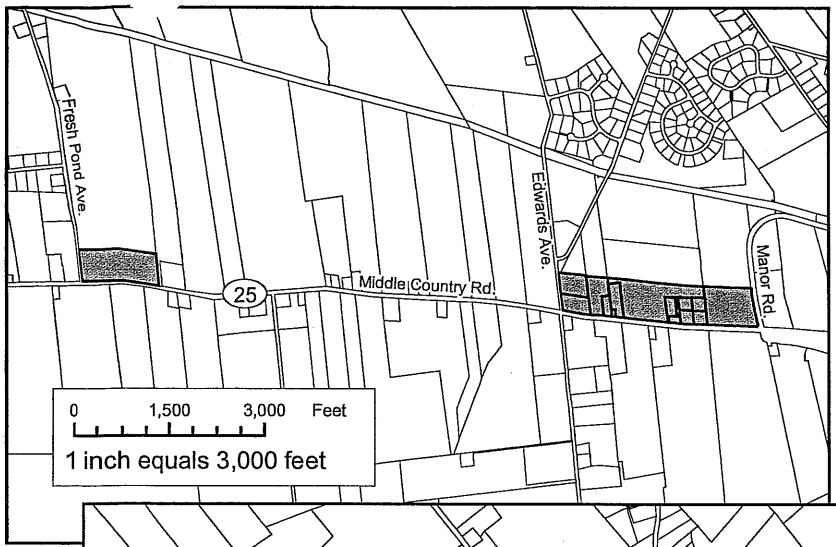
Village Center (VC) Zoning Use District

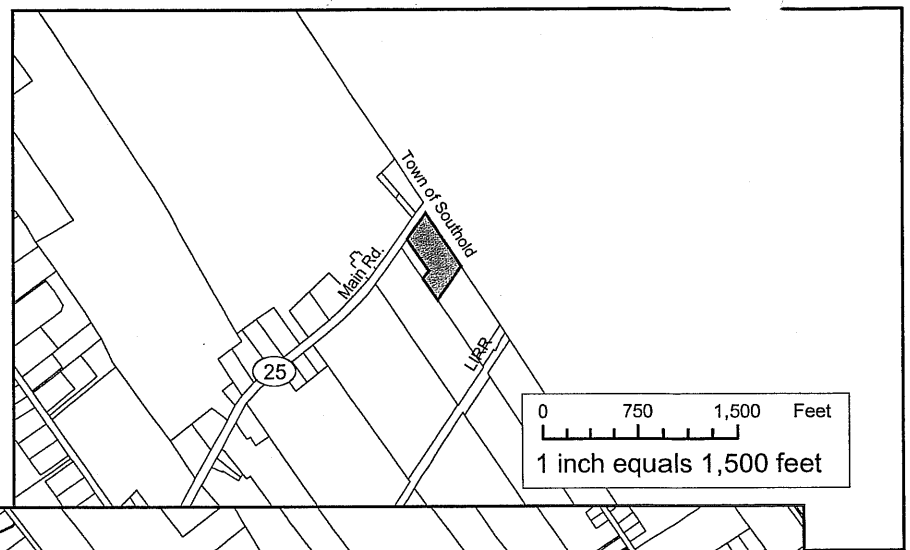
0 500 1,000 Feet

N W E S

1 inch equals 1,500 feet

Source: Town of Riverhead Planning Department, 21 October 2004;
Suffolk County Real Property Tax Service Agency, Copyright 2003, County of Suffolk, NY





Rural Corridor (RLC) Zoning Use District

TOWN OF RIVERHEAD

Rural Corridor (RLC) Zoning Use District

0 1,000 2,000 Feet

N W E S

1 inch equals 2,000 feet

Source: Town of Riverhead Planning Department, 21 October 2004;
Suffolk County Real Property Tax Service Agency, Copyright 2003, County of Suffolk, NY

Dated: Riverhead, New York
October 21, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

OCTOBER 21, 2004

Adopted

TOWN OF RIVERHEAD

OSTAD OPEN SPACE PRESERVATION

BUDGET ADJUSTMENT

RESOLUTION # 996

COUNCILMAN DENSIECKI 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
406.019400.494200.42037	SERIAL BOND PROCEEDS	$21,000	
406.019400.521000.42037	LAND ACQUISITION		$21,000

THE VOTE

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

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

Cardinale ☒ **Yes** ☐ **No**

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OCTOBER 21, 2004

Tabled

SEE RESOLUTION #999
for adoption on 10/28/0

TOWN OF RIVERHEAD

IRMA MURPHY OPEN SPACE ACQUISITIONS

BUDGET ADJUSTMENT

RESOLUTION # 997

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 adjustment:

		FROM	TO
406.019400.494200.42021	SERIAL BOND PROCEEDS	$20,000	
406.019400.523021.42021	DEMO OF REAL PROPERTY		$20,000

THE VOTE

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

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

Cardinale ☒ **Yes** ☐ **No**

Tabled

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