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Minutes of a Special Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Thursday, October 21, 2004, at 3:00 p.m.

Present:

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

Also Present:

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.	Town Attorney

Supervisor Cardinale called the meeting to order.

Supervisor Cardinale: "I think we are- okay, this is Thursday, October 21st Special meeting of the Town Board. We're resuming to pass what- Resolutions 991 through 996 and then we have another which is 997, which is in regard to an open space purchase that we're going to be passing.

We will be continuing today the passage of the commercial and industrial zoning use districts to implement the master plan. We deferred it for two days in order to allow the Town Board members, George Bartunek and Barbara Blass who are the code implementation committee, to make sure that the text was in good order. It is. And there is one amendment we'll add from the- in regard to the hamlet center to clarify but otherwise they're in good order.

And I'd like to note that we're passing the village center, hamlet center, rural corridor, the maps, the zoning use districts bulk schedule associated therewith and also, I think, the CR-business CR. So there's four zones districts- Business CR, Rural Corridor, Village and Hamlet and the bulk schedule associated therewith and the maps associated there with, with the exception of Country Rural, we're passing all maps.

Okay, without any further comment, why don't we get started. It's 991, I think is the first.

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Before I do that, before we start passing anything, let me ask if the public has any further comment in regard to these statutes. Yes, Muriel."

Muriel Froehlich: "I just had some questions. My name is Muriel Froehlich and I live in Jamesport. I have the property on the Main Road, across from the Elbow Room. And with looking at the maps the way the zoning has now been prepared to be voted on, I just wanted to let you know that I am disappointed that in the fact that I did ask when I came to the work session, for our property to be made Hamlet or Village Center, where the property right next to us is Village and east of that is Hamlet. Across the street from me is Village.

So I really felt that it would be a commonsense thing that our property is in the hamlet of Jamesport. But now you are going to make it the Rural Corridor which, yes, you did include retail which is good but the footprints stays at 10% where we did have Country Rural with 15.

At that work session, you did mention about the possibility of keeping in Country Rural. I was wondering why that was decided against."

Supervisor Cardinale: "There was a lot of discussion about that and I think the issue of the coverage was the key. Just exactly as you've outlined, that members of the Board wanted to see a more extended retail use within that area which is reflect in the zoning. That is between South Jamesport Avenue and Washington. On the other hand, we could not get the necessary support for a 15% coverage, only 10% coverage and that's short and sweet with what did happen.

And there was- we did consider very carefully what you said. We had an extended discussion and that was the result."

Muriel Froehlich: "So actually because we're- we're being penalized because we don't have something existing on the property. Every place else that was changed, has buildings on the property but we do not. So we are being penalized because of that?"

Supervisor Cardinale: "No, that's not accurate. That wasn't a factor in the zoning but what was, was the density. We can't- we have to get three votes to pass anything and we need to have three people that will support a specific density and we could not support the CR density which as you point out is 15% as opposed to 10%."

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Muriel Froehlich: "So right now as I stated when I saw you at work session, the Jamesport Cemetery is Village. They have more density than we can on our property."

Supervisor Cardinale: "I thought that was kind of amusing, too."

Muriel Froehlich: "So- "

Supervisor Cardinale: "I think that's not likely to be developed, however."

Muriel Froehlich: "No, no. But I'm- I just don't see, you know, where we are in the Hamlet that that 15% would have been (inaudible)."

Supervisor Cardinale: "I understand your position, Muriel, and we did really discuss it very fully and I appreciate your point."

Muriel Froehlich: "Okay, thank you."

Supervisor Cardinale: "Yes, Marty, you have a comment? And then Rolf."

Martin Sendlewski: "Martin Sendlewski. I'm here on behalf of- for this particular discussion, the property that was also requested to either be Hamlet Center or actually in our last correspondence we requested to maintain the Rural Corridor, which is the Janis property."

Supervisor Cardinale: "Right."

Martin Sendlewski: "On the south side of 25 between South Jamesport Avenue and Washington. What I did- "

Supervisor Cardinale: "What are the tax maps, Marty, or what you just handed us are- "

Martin Sendlewski: "58.1 and 58.3, the two that are pretty much right in the middle of the page."

Supervisor Cardinale: "Very good, thank you."

Martin Sendlewski: "Now, what I did is I took the south side

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of the road from South Jamesport Avenue to Washington Avenue and the lines that I drew up basically segment the road and it has the area under HC of the lots, how much square foot of land there is, under HC. It has in between that how many- how much square foot of land there is for the RLC for those lots in question, not only the Janis property but all the lots between HC and VC.

Then I took the footage of the VC property excluding the cemetery and I applied the zoning coverage that you are going to adopt today to those sites. Now if I take the Hamlet Center, I can get a- based on the floor area ration, 105,000 square feet of building in that one area.

On the RLC, which is that entire stretch between the HC and the VC zone, I can only get 18,477 square feet. On the VC property, excluding the cemetery, I can get 75,000 square feet. So if you were to take the entire run and you were to look at the areas that you get, you're taking the corner lot which is the VC area of 75 and 105 on the HC, that's 180,000 square feet in those two zones versus 18,000 square feet for all that property in the middle.

One of the things that was just mentioned when Muriel got up was the fact about the coverage and trying to look at areas and have a responsible development where you don't over-develop areas within a hamlet.

If you look at that footage and you were to take just the HC which is the property to the adjacent to Washington Avenue in the RLC, the VC makes sense because it's right in the heart of, you know, Jamesport, right at South Washington Avenue.

But if you take the HC piece and the RLC pieces and if you add them up as proposed based on their current coverage on the middle of the right side of the page where it says proposed, I'm sorry, on the bottom where it says present, HC plus RLC is 105,000 for the HC, 18,000 and change for the RLC gives you a total maximum build out from the VC to South Washington Avenue of 123,000 square feet.

If those same properties were maintained as CR, the same exact properties, it would have a maximum build out of 59,000 feet.

So if you were to take some of the current zoning- I always thought that the CR zone seemed to make sense in some areas such as Jamesport. I noticed now that it's not in Jamesport at all. It's only going to be out of Jamesport. But if you were to take that

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zoning in this area, it actually amounts to less than half of the footage that you can build under the current zoning. The difference being is that the HC zones are getting this real high density of footage, 35% coverage and the people who are going to be rezoned to RLC are getting only 10%.

So when you take the, you know, the properties that really in this- and, again, I'm really pertaining that to this one stretch because it's very particular to our current application that we have pending.

Also in addition to that, with the RL- with the CR zoning, there is no map up here on the CR zoning here. So I don't know if that means that other portions that are- everything that's currently CR except for what's changing here is still CR, because it's not on the map."

Councilwoman Blass: "That's correct."

Martin Sendlewski: "Okay."

Councilwoman Blass: "As of now."

Martin Sendlewski: "Okay. It just- I like the fact that- and I think the owner appreciates it and we've talked in detail about adding the retail into the RLC, that was, you know, a real big plus for us as far as doing the site plan, but we still feel that the 10% is a low number. I think if that number were 15% that the previous zoning of those lots were, it's not overdone because even when you look at it, even if you increase that to 15% that current number that you could build out on the properties I'm talking about, it if went to 15%, we'd go up from 18,000 feet to about 27- "

Supervisor Cardinale: "Twenty-seven."

Martin Sendlewski: "-- yeah, 27,000 feet. So it's not this huge increase that we're looking for. We really were hoping you would have considered that when doing this.

One other footnote on a different topic, which is the use schedule, the use schedule, the FAR's in these cases don't really make a lot of sense. The FAR of 1.1 in the RLC basically means you can't build a two story building in RLC if you build a building that is 10% of the lot. It's got to be a one story building, 10%. You can't even build a two story building.

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The other zones, when you go multiple stories, doesn't double the lot coverage with the floor area ratio. So some of them, it's like one and a half stories; some it's less. Those numbers just don't make sense. I don't know if the intent is to keep that all one story, you know, that whole stretch one story buildings. But I don't- if that were the case, I don't understand why there's a 35 foot height limit.

So a few things on this still don't make sense. And I think one of the concerns we have is that we just picked up the resolutions with the actual final text of what's being voted on, was literally put on the table outside after 2:00. So this wasn't published in the paper where people could read through it and prepare a response prior to the meeting to hand you now, to have, you know, a good amount of information.

I'm just a little concerned that we- I know that Supervisor Cardinale very rightly said we don't want to rush this. We want to make sure we get it right. First looking at it, most of it seems right. There's still some things though that seem as if they're not totally there.

I'm wondering if it's wise to go ahead and push this stuff through when- I think there was only five copies out there. I got one. I don't know how many else got one. I think three people got copies of what's actually being voted on today. Nobody else has seen it. It hasn't been published in the paper in its final draft. It just seems like it's rushing it to proceed with this at this time. Thank you."

Supervisor Cardinale: "Thank you. The- I think it's worth noting that there have not been significant changes at all in this other than, I think Barbara you could note them, but I think when we reviewed it there was just two or three changes since the public comment. So it's not- it's essentially the same.

The most important change was the one that was in response to public comment by adding in the Rural Corridor within this specific area you just discussed and which you noted, the retail, the general retail use.

The other thing I think is so- my first point is that the change was limited to that and one or two other minor changes."

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Councilwoman Blass: "(inaudible) and parcels that are three acres or more in that Rural Corridor, you cannot- you have to have a minimum of four buildings with no single building being larger than 5,000 square feet."

Supervisor Cardinale: "That was a bulk schedule change or was it in the text?"

Councilwoman Blass: "That's in the text."

Supervisor Cardinale: "Okay. So that change that she just enunciated and this other was- were the only substantive changes.

The other thing I- we should note is that there are two things that we have to do to pass any zoning and this certainly has been a lengthy process since June of 1998.

We have to do so consistent with the master plan and the generic environmental impact statement which everybody knows because we've quoted that so many times. But we also need to be in agreement, three, that's what a Board is about. A majority has to agree and what you were talking about as far as density, that makes great sense if you have the votes to support it. But we have to pass zoning and majority prevails and the question of density is one of the big issues that zoning decides.

Okay. Any other comment? Yes- Rolf, I'm sorry, please go forward and then Ray if you have a comment."

Rolf Koesling: "Rolf Koesling, Wading. First of all, you said you were going to start at 991. What happened to 990?"

Supervisor Cardinale: "Was that the first? I may have misstated it. 991 was the first of the ones we did not pass, I believe, the other night."

Barbara Grattan: "990 was I think the bills."

Supervisor Cardinale: "Pay the bills was 990."

Rolf Koesling: "Not on here. It says- "

Supervisor Cardinale: "We're not paying the bills. That's my point."

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Councilwoman Blass: "Do you have the agenda?"

Supervisor Cardinale: "Do you have the agenda from the other night?"

Rolf Koesling: "This is the one from the other night?"

Supervisor Cardinale: "990- what was listed?"

Rolf Koesling: "It says 990, adopts a local law to amend Chapter 108 entitled zoning of the Riverhead town code, Business CR, Rural Neighborhood Business Zoning Use District."

Councilman Densieski: "Paying bills would have been after this, that's why."

Supervisor Cardinale: "Then we should have that on. We indicated in my comment on what we were passing, that we intend to pass and will pass CR, Village Center, Hamlet Center, Rural Corridor, the maps and the bulk schedule."

Rolf Koesling: "But it's starting with 990."

Supervisor Cardinale: "Yeah."

Councilwoman Blass: "We're going to have to change all the numbers."

Rolf Koesling: "I just wanted to make sure."

Supervisor Cardinale: "Thank you, Rolf."

Rolf Koesling: "And can I continue?"

Supervisor Cardinale: "Please."

Rolf Koesling: "Okay. Well, you know what I'm concerned is just with my (inaudible). I just wanted to make the same statement. You can make it all residential, I have no problem with it. But if you're going to divide up that CR, I say no way, then I want my part left as before."

Supervisor Cardinale: "Barbara will answer because the map is now available and if you look at it you will find what she's about to say."

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Councilwoman Blass: "Mr. Koesling, that property has already been rezoned residential as a result of the action we took when we did the residential zoning back in June. The individual of whom you speak was coming to us to ask that it be reinstated to Business CR and we did not chose to do that. So it's all zoned residential."

Rolf Koesling: "So it's all residential."

Councilwoman Blass: "That's correct."

Rolf Koesling: "Fine. Thank you."

Councilwoman Blass: "You're welcome."

Supervisor Cardinale: "Yes, Ray."

Ray Janis: "Ray Janis, South Jamesport. I always thought RC was you know-- first- I'm not complaining but I always thought it was 17%. Now I keep hearing it's 15."

Supervisor Cardinale: "That was the old CR was 17%."

Ray Janis: "Oh, okay."

Supervisor Cardinale: "The new CR is 15."

Ray Janis: "Oh, all right, I didn't understand. My only-thing to talk, on South Jamesport Avenue, the business district on the old map just went so far. Now you didn't make any changes. You left where I am in the new business section, it looks like you extended it a little bit more. How come did they rate? It's like--"

Supervisor Cardinale: "You're talking about- "

Ray Janis: "Did somebody- "

Supervisor Cardinale: "Extended to the east you mean-- or- "

Ray Janis: "The- it's on South Jamesport Avenue- "

Supervisor Cardinale: "Oh, I understand."

Ray Janis: "-- on the east side, they went like another two or three lots more."

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Supervisor Cardinale: "Yeah, I noticed that as well. He's talking about on South Jamesport Avenue what we just discussed that the RLC- "

Councilwoman Blass: "You're not talking south, you're talking east along 25?"

Supervisor Cardinale: "No, on South Jamesport- "

Councilwoman Blass: "Or- "

Ray Janis: "South Jamesport Avenue."

Councilwoman Blass: "That map stayed the same. The distance south from 25 on South Jamesport Avenue stayed the same for the business districts."

Ray Janis: "The map shows different."

Councilwoman Blass: "From 25 south- "

Ray Janis: "East."

Councilwoman Blass: "-- along 25."

Ray Janis: "Along 25."

Councilwoman Blass: "Yes. That's different."

Councilwoman Blass: "You're alluding to south- "

Ray Janis: "You extended it more."

Supervisor Cardinale: "Yeah, I was confusing you. You're talking about on 25 where- east of South Jamesport Avenue- "

Ray Janis: "Right."

Supervisor Cardinale: "Like Country Kitchen and beyond, I think it's two houses beyond Country Kitchen it's sucked into a business zone."

Ray Janis: "Right."

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Supervisor Cardinale: "Yes. Did you want to comment on that Barbara?"

Councilwoman Blass: "Actually I can't speak to that because I was not there for that discussion."

Supervisor Cardinale: "The extension- "

Councilwoman Blass: "The extension of the two parcels east of where the original RLC line was- "

Supervisor Cardinale: "Right."

Councilwoman Blass: "-- we changed to HC. There were two additional parcels to the east and I was not there when that decision was made so I cannot speak to that."

Councilman Bartunek: "Was that done, Rick because of maybe existing- I don't think there's any commercial buildings on that- those lots- "

Supervisor Cardinale: "Rick Hanley- "

Ray Janis: "There is a lawyer there."

Councilwoman Blass: "I think it had to do with- "

Supervisor Cardinale: "Rick will maybe address that."

Councilman Bartunek: "It had- we were trying- "

Councilwoman Blass: (Inaudible)

Ray Janis: "I just fee that something's going to be happening if somebody moved those two lots over. That's all- "

Supervisor Cardinale: "Okay. Maybe we can give you some understanding of why that- those two lots were added to that. Rick, you want to speak up for a second. Stick around, Ray (inaudible)."

Rick Hanley: "Rick Hanley, Planning Director. When we were going through the several iterations of what to do here, we continually referred back to the original master plan itself, not what we went to hearing on but what the actual plan said.

And we discovered that the plan recommended for HC on those

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parcels. So that's the reason why we did it. It was corrected, right."

Supervisor Cardinale: "I see. So it reverted to the original master plan recommendations that you were (inaudible). Okay. Thank you. Any other questions or comments? Yes, Bob. And Mrs. Gallo if you want to come up and follow Bob."

Robert Kozakiewicz: "Bob Kozakiewicz, Riverhead. I wanted to just- I wasn't really planning on speaking but I wanted to- I think Marty's point and maybe it was the question of public involvement and seeing the resolutions ahead of time and I think that's more of what he was coming from on the standpoint that until the resolutions are seen, it prevents or impairs the public from having true participation in the process."

Saying that, having seen that now the Board is going to be adopting a Business CR without a map, my question is how can- you know, we really get real good comment on, you know, what to do and what not to do with respect to not knowing what's going to be designated CR and what's not going to be designated CR."

Supervisor Cardinale: "Why don't you comment on that, Barbara?"

Councilwoman Blass: "The existing Business CR in the town right now will remain."

Robert Kozakiewicz: "Okay."

Councilwoman Blass: "So if- there is a portion in Wading River, as of today there's a portion on Sound Avenue which has been the subject of a rezoning hearing, and I believe the- I believe that's it actually."

Supervisor Cardinale: "Well, the reason you don't pass the CR map is because there's no changes."

Councilwoman Blass: "There's no change to that map. There is no- "

Supervisor Cardinale: "The only change is on the text."

Robert Kozakiewicz: "You're taking action just on the text is what you are saying."

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Councilwoman Blass: "On the text and counsel advises us as long as there is no change in the geographical area, that there is no need- we never had to hear a map change. It was not warranted."

Robert Kozakiewicz: "Thank you. Appreciate that."

Supervisor Cardinale: "Thank you. And in fact the only contemplated change is in the Sound Avenue and Park Road area. So it's what it is with a possible change in that area. Yes."

Barbara Gallo: "Barbara Gallo, Aquebogue. The other night at the meeting I spoke about property on Hubbard Avenue. Was it- I see on the map now it's CRC from Industrial to CRC. Was this reviewed by the Board?"

Supervisor Cardinale: "Yes."

Barbara Gallo: "Okay. And it was a Board then decision or majority to- "

Supervisor Cardinale: "A majority decision in any event. Yeah."

Barbara Gallo: "Okay. Thank you."

Supervisor Cardinale: "Thank you. Yes, sir."

Joe Tasini: "Yes. My name is Joe Tasini and I own a parcel in Wading River. I just want to make a comment. I appreciate the purpose and intent of your plan. I think it has real merit and I'm involved in other developments out of state that, you know, take into consideration everything that you- I think what you want to do.

The particular question I have is that your legislating design for people who own small parcels of ground as I have in Wading River on 25A, now if you would take your design requirements that you have here and you would apply them to someone who has an acre or an acre and a quarter, it's- it cripples the ability for someone to develop that parcel when adjacent to them are parcels of property that are already developed that don't fit into this setting of courtyards, green space. So you have to have the synergy in a large parcel to be able to make this work.

So if we have- if it was just- if we could take all and put everybody on the same playing field so that for example in Wading River you could take all the property in Wading River and say let's

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change how we do residential, let's change how we do commercial, and let's make it walkable, let's have bike trails, let's have courtyards, let's have fountains, let's do all that, I think that would be wonderful.

But when you try to impost design restrictions on people who already have ground that have to develop their ground now completely different than people that are around them, it's just- it- the intent is great but the application, I think, needs some adjustment."

Supervisor Cardinale: "Thank you."

Joe Tasini: "Okay. Questions?"

Supervisor Cardinale: "No. Only a saving factor that I'm hopeful that if that occurs on individual lots we can- and they are a burden that is unfair, that relief can be granted and I think there are mechanisms to do that. And hopefully they'll be used."

Joe Tasini: "Okay."

Supervisor Cardinale: "Thank you. Any other comment? Yes, Marty."

Martin Sendlewski: "I just had one other question about the issue with the CR. I- assuming that that's correct about the- all of the other parcels that are CR other than what's shown here remain CR, some of the maps, I remember when they were doing all the different maps up on the screens here during the public hearings, there was a lot of CR property. I mean it was all over the place. I presume that the other ones that were changed were covered under like the APZ and some of the other zones, that they've already been changed or- "

Supervisor Cardinale: "That is correct."

Martin Sendlewski: "Okay."

Supervisor Cardinale: "Yeah."

Martin Sendlewski: "And I just also wanted to reiterate what Mr. Tasini said. We're working on a site plan for his property in Wading River and we've developed the site plan to a point where the- some of the very specific requirements in the CR zone really change the site plan considerably, you know, locations of parking, certain things that happen.

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One thing just as a footnote, the parking in the front lawn- in the front of the CR Business, it says you can have one row of parking in the front up to 40 feet deep but if you take a parking stall 20 feet and an aisle 25 feet, you need 45 feet. So is that like a mistake in here or is it just- when I went through that zone, to be honest with you, I hadn't gone through it in as much detail and so we were preparing - we went back and re-looked at the site plan we have pending based on the new zoning and when I started going through the new zoning more and more, all of our existing site plans were basically going out the window in terms of, you know, density, in terms of layout. It just seemed a little bit, you know, a lot of the restrictions that are in there, I think you're going to cut CR density down considerably because you won't be able to accommodate all the yards, courtyards, parking located in certain locations on the site very easily, especially on smaller properties."

Supervisor Cardinale: "Thank you. Yes, Ron."

Ron Caffrey: "Ron Caffrey, Deputy Highway Superintendent Town of Riverhead. I would like to, for the budget for Irma's Diner, if that could be tabled for a while until we do a little bit more research on the concrete removal."

Supervisor Cardinale: "Yeah. That's one of the resolutions we were going to consider as an extra and I had intended to do that, Ron, because I know we're in the middle of trying to figure that out."

Ron Caffrey: "Research it a little bit more."

Supervisor Cardinale: "Okay. I'll make sure that happens."

Ron Caffrey: "Okay. Thank you."

Supervisor Cardinale: "Okay. The- "

Resolution #990

Barbara Grattan: "Resolution 990, adopts a local law to amend Chapter 108 entitled zoning of the Riverhead town code Business CR Rural Neighborhood Business Zoning Use District. That's not here."

Supervisor Cardinale: "Why not? It's the Business CR that we're- "

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Barbara Grattan: "It's the CR Rural Neighborhood."

Councilwoman Blass: "Wait a minute. That's Resolution number-

Supervisor Cardinale: "I believe it is."

Councilwoman Blass: "-- 994."

Barbara Grattan: "That #994? All right. So then we number these resolutions 990."

Supervisor Cardinale: "Well not necessarily."

Councilman Bartunek: "You just want to renumber them all."

Barbara Grattan: "You've got it."

Councilman Bartunek: "Just renumber them. Just change the sequence here."

Barbara Grattan: "991- I mean 991 is going to become- "

Councilman Bartunek: "990."

Supervisor Cardinale: "Well, how does that work."

Councilwoman Sanders: "Start with 990."

Councilman Densieski: "Move everyone back one."

Councilwoman Sanders: "991 and make that 990 and then go back."

Supervisor Cardinale: "But on your program last- on Tuesday, it was CR. So this is not, this is RLC."

Councilman Densieski: "So you want to move that other one forward?"

Councilman Bartunek: "You want to take 94 and make that 90?"

Councilwoman Blass: "(inaudible) in the order that they were called and renumber- "

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Barbara Grattan: "Well, these were never adopted on Tuesday so it doesn't make too much difference."

Supervisor Cardinale: "Okay. So it doesn't make any difference because these are simply- "
(Inaudible discussion among the Board members)

Supervisor Cardinale: "Okay. So we are going to renumber and we are going to pass one, two, three, four, five right now which is presently number 991 to 996. That's what I want to make sure. Okay, so let's take a look. Forgetting about the numbers, we're going to pass RLC, we're going to pass the Hamlet Center, or at least we're going to vote on it. We're going to- oh, here we go. We're going to pass the VC or vote on VC. On the Business CR which is 994. And then 995 is the zoning use district schedule for all of the districts."

Barbara Grattan: "That's going to be 994."

Supervisor Cardinale: "No. That's 995."

Barbara Grattan: "Yes. But it's going to become 994."

Supervisor Cardinale: "Why?"

Councilman Bartunek: "Because we're moving all the numbers down."

Barbara Grattan: "Because we didn't have 990. So now- "

Supervisor Cardinale: "Okay, I got you."

Councilman Densieski: "They're all moving back one."

Supervisor Cardinale: "996, okay, fine. Yes. Yeah."

(Some inaudible discussion among the Board members)

Supervisor Cardinale: "995. Okay. The way we're going to solve the conformity problem with the schedule of last night, we're going to renumber from 991 to 996 is now going to be 990 to 995. So with that, we'll take up the first resolution which is 990, please."

Resolution #990

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Councilwoman Blass: "990 adopts a local law to amend Chapter 108 entitled Zoning of the Riverhead Town Code, the Rural Corridor, RLC Zoning Use District. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded, Rural Corridor Zoning Use District. May we have a vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I'm going to make a couple quick comments here. One of them, you know we paid a lot of money to have the master plan made up but the fact of the matter is that most of the hard work was done right here in town hall and I just want to point some of those people out. Rick Hanley, Eric, Jill Lewis, and my colleagues on the Board, George and Barbara. The town really does owe them a huge debt because they did a tremendous job and they've done a lot of hard work.

Not that we agree with everything that's in it and not that everybody will agree with everything that's in it but we should recognize hard work when hard work is performed.

There are a couple things I just want to point out in here. A couple of my favorite things in a lot of these zoning districts are parks and playgrounds, that's one of my favorite. I don't know how you can make a living with parks and playgrounds. There's going to be a lot of antique stores around town, too, because it's included in almost all the zoning districts.

One of the things I kind of disagree with, too, is outside display and outside storage. You own a piece of property, you pay taxes on the entire property yet you can't put any of your merchandise outside. I kind of disagree with that.

And as the Chairman of the Handicapped Committee, I'm opposed to the fact that no drive through windows are allowed. Representing the handicapped community, I think it's a different time. I understand the looks and the aesthetics and I agree with that but if you're wheelchair bound or if you're handicapped, trust me, those drive through windows were important. I think they should be a special permit, not prohibited.

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The other thing I'm concerned about you know, too, is 10% lot coverage. You know, you have to pay taxes on 100% of it; 10% to use as your property is really not a lot. But the master plan has to be adopted and we'll take it from there.

And I just wanted to once again thank everybody for all their hard work. And for the people who feel that they were penalized, I'm sorry. I hope that's-- literally I hope that's not the case. I hope nobody was penalized.

With that, I'm going to vote yes."

The Vote (Cont'd.): "Cardinale."

Supervisor Cardinale: "Yeah. I certainly support Ed's comment and thank the Board members who worked hard and my Deputy. And one other thing to be pointed out here is that since November- we're here in October, we've had a disconnect between our master plan and our zoning. Zoning is a living document. When we pass this and complete it, we hope by the end of this month, they'll be connected. That doesn't mean they can't be improved. It's a living document and we will seek to see what works and what doesn't and keep making our zoning more reflective of what our plan is.

With that, I vote yes.."

Barbara Grattan: "Okay. The resolution is adopted."

Resolution #991

Councilman Bartunek: "Adopts a local law to amend Chapter 108 entitled Zoning of the Riverhead Town code, Hamlet Center HC Zoning Use District.

There is one amendment on page 2 of 5 that we want you to make a note of. That's under prohibited uses, it should- No. 3 should read retail single."

Councilwoman Sanders: "Single retail."

Councilman Bartunek: "Single retail stores with a floor area exceeding 10,000 square feet. Single retail stores with a floor area exceeding 10,000 square feet."

Councilwoman Blass: "I second that resolution as amended."

10/21/2004 minutes

Supervisor Cardinale: "Moved and seconded. May we have a vote on Hamlet Center, please?"

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #992

Councilwoman Blass: "Adopts a local law to amend Chapter 108 entitled Zoning of the Riverhead Town Code, Village Center VC Zoning Use District. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded for a vote on Village Center Zoning Use District."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #993

Councilman Bartunek: "We might have a- slight change. We have a slight amendment here also on page 2 of 6 of the code under Prohibited Uses, No. 1 just insert single retail stores."

Supervisor Cardinale: "The word single."

Councilman Bartunek: "Yes, that's it. 994 adopts a local law to amend Chapter 108 entitled Zoning Riverhead Town Code Business CR Zoning Use District. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded for a vote on Business CR Zoning Use District."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. That resolution is adopted.

Barbara Grattan: "Now I'm a little confused here, guys. What about Resolution 993 which you- did you- you didn't vote on that. You went right to 994."

10/21/2004 minutes

Councilman Bartunek: "I said 90- "

Supervisor Cardinale: "It's 993."

Councilwoman Blass: "This one we just did was CR- was 993."

Councilman Bartunek: "Should be 993- I read 94."

Supervisor Cardinale: "All right, thank you. So the next one is 994."

Councilman Bartunek: "993."

Supervisor Cardinale: "So the next one is 994."

Councilman Bartunek: "The next one is 994, yup."

Resolution #994

Councilman Bartunek: "Amends- you have to announce me? No.

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. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded for a vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #995

Councilwoman Blass: "Amends the Zoning Map Town of Riverhead, Suffolk County, New York. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded for a vote on the amended maps."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

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Supervisor Cardinale: "There is one additional I think that- "

Councilwoman Sanders: "It's going to be 996."

Councilwoman Blass: "996."

Supervisor Cardinale: "996."
Resolution #996

Councilman Densieski: "I'd like to offer Resolution #996 which is the Ostad Open Space Preservation budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #997

Councilwoman Sanders: "Mr. Supervisor, I move to table this resolution on Irma Murphy Open Space Acquisition."

Supervisor Cardinale: "Do I have a second?"

Councilman Densieski: "Yes, you do. Second the motion."

Supervisor Cardinale: "Moved and seconded for tabling as per Mr. Caffrey's recommendation for further discussion. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is tabled."

Supervisor Cardinale: "Okay. Motion to adjourn; motion granted. Can we have a vote to adjourn?"

Councilwoman Sanders: "Ed moved it and seconded."

Councilman Bartunek: "I'll second it."

Supervisor Cardinale: "We're adjourning, five people I'm sure are going down here to continue the work session. And thank you for coming."

10/21/2004 minutes

Meeting adjourned: 3:05 p.m.