

TOWN OF RIVERHEAD PLANNING BOARD

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596
(631) 727-3200, EXT. 240, FAX (631) 727-9101

Richard M. O'Dea, Chairman
Joseph H. Baier, Vice-Chair/Secretary

Stan Carey, Member

Ed Densieski, Member
Lyle Wells, Member

November 6, 2014

Wendy's Restaurant of New York, LLC
40 General Warren Boulevard, Suite 206
Malvern, PA 19355

APPROVES SITE PLAN FOR WENDY'S-RIVERHEAD RESOLUTION # ADM 2014-0089

Dear Sir:

The following resolution was duly adopted at a meeting of the Town of Riverhead Planning Board held on November 6, 2014:

WHEREAS, a site plan application was submitted to construct a 54 sq. ft. vestibule, do an exterior façade upgrade, and related improvements at an existing Wendy's restaurant with drive-through on a 48,383 sq. ft. parcel zoned Business Center (BC) at 1165 Old Country Rd. in Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-4-5.1; and

WHEREAS, the Planning Department has reviewed the four-page site plan (including a Site Plan, Partial Site and Grading Plan, Lighting Plan, and General Notes & Details) last revised October 21, 2014, prepared by Joseph A. Deal, P. E., and Exterior Elevations, Equipment Plan, and Floor Plan last dated March 21, 2014 prepared by Donald John Wallin, R. A., of Wallin Gomez Architects, Ltd. and has recommended to the Planning Board of the Town of Riverhead that said site plan application be approved with conditions; and

WHEREAS, the Planning Board has carefully considered the merits of the site plan application, the SEQRA record to date, the reports of the Planning Department, Building Department, and Fire Marshal as well as all other agencies having jurisdiction and relevant Planning, Zoning and Environmental information; and

WHEREAS, the Riverhead Planning Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II pursuant to 6NYCRR Part 617 and therefore no significance determination is required; and

WHEREAS, as per Resolution #2014-10 dated February 26, 2014 the Architectural Review Board recommended approval of the project subject to the condition that new plans be submitted with a corrected revision date and subsequently this condition was fulfilled; and

WHEREAS, a public hearing was not required as this is considered an administrative review as per Town code section 108-130B(4)(g);

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received as per receipt no. O 6501 of the Office of the Financial Administrator of the Town of Riverhead; and

WHEREAS, the Planning Board has reviewed the site plan aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that four-page site plan (including a Site Plan, Partial Site and Grading Plan, Lighting Plan, and General Notes & Details) last revised October 21, 2014, prepared by Joseph A. Deal, P. E., and the Exterior Elevations, Equipment Plan, and Floor Plan last dated March 21, 2014 prepared by Donald John Wallin, R. A., of Wallin Gomez Architects, Ltd. to construct a 54 sq. ft. vestibule, do an exterior façade upgrade, and related improvements at an existing Wendy’s restaurant with drive-through on a 48,383 sq. ft. parcel zoned Business Center (BC) at 1165 Old Country Rd. in Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-4-5. is hereby approved by the Planning Board with the following conditions:

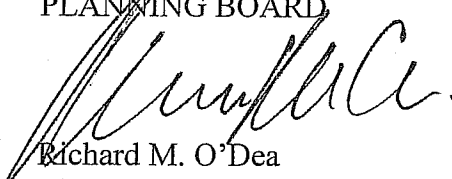
1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That sign permits shall be obtained from the Building Department for all signage prior to being installed at the property (the site plan approval does not indicate approval of signage); that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as any restrictions imposed as a condition of the site plan approval granted herein;
3. That any exterior lighting shall comply with Article XLV of the **Riverhead Town Code** and no lighting shall be adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways, and all lighting fixtures shall have full cutoffs, to the review and approval by the Town’s Consulting Engineer;
4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, “Trash, Rubbish and Refuse Disposal,” and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
6. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;

7. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected stating, “No Parking, Handicap Only,” and the universal symbol affixed thereto. Further, Wendy’s Restaurant of New York, LLC hereby authorizes and consents to the Town of Riverhead to enter the premises at 1165 Old Country Rd. to enforce said handicapped parking regulations;
9. The applicant must satisfy all requirements of the Building and Fire Code of New York State;
10. That the applicant shall be required to request, pay the applicable fees, and obtain all the necessary site inspections (including drainage improvements prior to backfill, grading and site improvements prior to the first lift of paving, and post-construction prior to the issuance of a certificate) as prescribed in section 108-131E of the **Code of the Town of Riverhead**;
11. That no importation or exportation of materials will take place until a permit for such is obtained by the Town Board pursuant to Chapter 62 of the Riverhead Town Code;
12. That no construction or site work shall commence prior to issuance of a Building Permit and an alteration permit from the Fire Marshal’s office;
13. That no construction or site work shall commence or Building Permits or Temporary or Permanent Certificates of Occupancy shall be issued until the Chairman of the Planning Board signs the Planning Board Certifications on the approved plans;
14. That no temporary or permanent Certificates of Occupancy shall be issued until:
 - (i) The applicant submits six signed and sealed “As-Built” surveys to the Planning Department in accordance with section 108-129 E;
 - (ii) Confirmation from the Suffolk County Department of Public Works that a Highway Work Permit has been obtained and that all conditions subject to issuance of a Highway Work Permit have been satisfied; and

BE IT FURTHER

RESOLVED that the Clerk for the Planning Board is hereby authorized to forward a certified copy of this resolution to Wendy’s Restaurant of New York, LLC, 40 General Warren Blvd, Suite 260, Malvern, PA 19355; Bohler Engineering, c/o Joseph A. Deal, P. E., 2929 Expressway Dr. N., Suite 120, Hauppauge, NY 11749; Brown & Altman, LLP; 510 Broadhollow Rd., Suite 110, Melville, NY 11747; the Riverhead Building Department; the Town Attorney; the Town Clerk; the Town Assessor; the Town Engineer; the Fire Marshall; the Water District Superintendent, the Sewer District Superintendent, the Highway Superintendent and the Town’s Consulting Engineer.

Very truly yours,
PLANNING BOARD



Richard M. O'Dea
Chairman

RMO:kg

A motion was made by Mr. Densieski and seconded by Mr. Wells that the aforementioned resolution be approved as amended:

THE VOTE

BAIER ___ YES ___ NO ___ ABSENT X CAREY X YES ___ NO ___

WELLS X YES ___ NO DENSIESKI X YES ___ NO ___ ABSENT

O'DEA X YES ___ NO ___ ABSENT

THIS RESOLUTION X WAS ___ WAS NOT
THEREFORE DULY ADOPTED



**TOWN OF RIVERHEAD
PLANNING BOARD**

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596
(631) 727-3200, EXT. 240, FAX (631) 727-9101

Richard M. O'Dea, Chairman
Joseph H. Baier, Vice-Chair/Secretary

Stanley Carey, Member

Ed Densieski, Member
Lyle Wells, Member

November 6, 2014

Allen M. Smith
737 Roanoke Avenue
Riverhead, NY 11901

RE: Minor Subdivision – Dakota Smith, Craig Lehmann & Susan Lehman

Resolution No. 2014-0090

(SCTM No. 0600-113-3-3, 0600-113-3-5 and 0600-113-3-6)

Dear Sir;

The following resolution was duly adopted at a meeting of the Town of Riverhead Planning Board held on November 6, 2014:

WHEREAS, by letter dated October 7, 2014, Allen M. Smith, Attorney at Law, on behalf of his clients, Dakota R. Smith, Craig Lehman & Susan Lehman, did request an extension of time for the Chairman or Secretary of this Board to affix his or her signature to the final plat of the realty subdivision map prepared for the "Subdivision Map of Dakota R. Smith, Craig Lehman & Susan Lehman;" and

WHEREAS, New York State Town Law, Section 276 allows for an additional 90 day period for submittal of a map for signature; now,

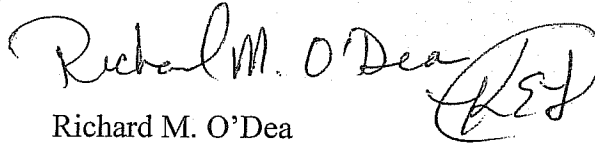
THEREFORE, BE IT

RESOLVED, that this Board approves the request of Allen M. Smith; and

BE IT FURTHER

RESOLVED, that the time for the Chairman or Secretary of this Board to affix his or her signature to the final plat of the Subdivision Map of Dakota R. Smith, Craig Lehman & Susan Lehman, shall expire on January 30, 2015.

Very truly yours,
PLANNING BOARD



Richard M. O'Dea
Chairman

RMO:kef

A motion was made by Mr. Densieski and seconded by Mr. Carey that the aforementioned resolution be approved:

THE VOTE
BAIER ABSENT YES ___ NO ___ CAREY X YES ___ NO ___
WELLS X YES ___ NO ___ DENSIESKI X YES ___ NO ___
O'DEA X YES ___ NO ___
THIS RESOLUTION X WAS ___ WAS NOT
THEREFORE DULY ADOPTED



**TOWN OF RIVERHEAD
PLANNING BOARD**

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596
(631) 727-3200, EXT. 240, FAX (631) 727-9101

Richard M. O'Dea, Chairman
Joseph H. Baier, Vice-Chair/Secretary

Stanley Carey, Member

Ed Densieski, Member
Lyle Wells, Member

November 6, 2014

Charles Cuddy
Attorney at Law
P. O. Box 1547
Riverhead, NY 11901

RE: Minor Subdivision – Ann McQuade

Resolution No. 2014-0092

(SCTM No. 0600-41-1-12.3, 41-1-12.4, 12-4-1.1, 12-4-1.2 & 12-4-2.0)
(SEVENTH Extension)

Dear Mr. Cuddy;

The following resolution was duly adopted at a meeting of the Town of Riverhead Planning Board held on November 6, 2014:

WHEREAS, by letter dated October 22, 2014, Charles R. Cuddy, Attorney at Law, on behalf of his client, Ann McQuade, did request an extension of time for the Chairman or Secretary of this Board to affix his or her signature to the final plat of the realty subdivision map prepared for the "Minor Subdivision Map of Lands of Ann McQuade;" and

WHEREAS, New York State Town Law, Section 276 allows for additional 90 day periods for submittal of a map for signature with no limitation on the number of extensions if such extension is warranted by particular circumstances; now

THEREFORE, BE IT

RESOLVED, that this Board approves the request of Charles R. Cuddy; and

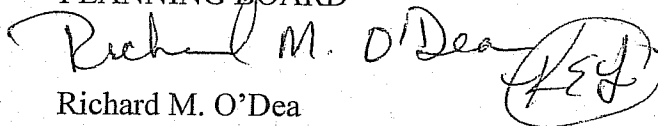
BE IT FURTHER

RESOLVED, that the time for the Chairman or Secretary of this Board to affix his or her

signature to the final plat of the Minor Subdivision Map of Lands of Ann McQuade, shall expire on January 23, 2015.

Very truly yours,

PLANNING BOARD

A handwritten signature in cursive that reads "Richard M. O'Dea" followed by a circled set of initials "RMO".

Richard M. O'Dea
Chairman

RMO:kf

A motion was made by Mr. Densieski and seconded by Mr. Wells that the aforementioned resolution be approved:

THE VOTE

BAIER ABSENT YES ___ NO ___ BOSCHETTI X YES ___ NO ___ ABSENT

WELLS X YES ___ NO ___ DENSIESKI X YES ___ NO ___

O'DEA X YES ___ NO ___ ABSENT

THIS RESOLUTION X WAS ___ WAS NOT
THEREFORE DULY ADOPTED



**TOWN OF RIVERHEAD
PLANNING BOARD**

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596
(631) 727-3200, EXT. 240, FAX (631) 727-9101

Richard M. O'Dea, Chairman
Joseph H. Baier, Vice-Chair/Secretary

Stanley Carey, Member

Ed Densieski, Member
Lyle Wells, Member

November 6, 2014

Rebecca Pollina
216 Fishel Avenue
Riverhead, NY 11901

Authorizes Planning Board Clerk to Publish and Post Notice of Public Hearing
Preliminary Site Plan of Hydrant Hotel
Resolution No. 2014-0091

Dear Ms. Pollina;

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on November 6, 2014:


WHEREAS, the Riverhead Planning Board is in receipt of a preliminary site plan petition of Hydrant Hotel, to establish a dog (cat) daycare/boarding (grooming) facility by the conversion of warehouse and office buildings, and construction of a canopy addition, with associated site improvements (outdoor runs and walk areas), upon real property located on Raynor Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number No. 0600-108-2-10; and

WHEREAS, the Riverhead Town Planning Board desires to hold a public hearing at this time; now

THEREFORE BE IT

RESOLVED, that the Clerk to the Planning Board hereby be authorized to publish and post the attached notice of public hearing.

Very truly yours,
PLANNING BOARD


Richard M. O'Dea
Chairman

RMO:kf

A motion was made by Mr. Densieski and seconded by Mr. Wells that the aforementioned resolution be approved:

THE VOTE

BAIER ABSENT YES ___ NO CAREY X YES ___ NO

WELLS X YES ___ NO DENSIESKI X YES ___ NO

O'DEA X YES ___ NO

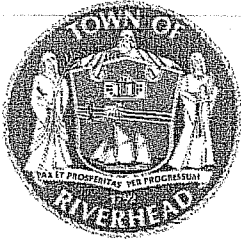
THIS RESOLUTION X WAS ___ WAS NOT
THEREFORE DULY ADOPTED

THE PLANNING BOARD OF THE TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held before the Planning Board of the Town of Riverhead at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 4th Day of December 2014 at 7:00 o'clock pm, to consider the preliminary site plan petition of Hydrant Hotel to establish a dog (cat) daycare/boarding (grooming) facility by the conversion of a warehouse and office buildings and construction of a canopy addition with associated site improvements (outdoor runs and walk areas) upon real property located on Raynor Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number No. 0600-108-2-10.

Dated: Riverhead, New York
November 6, 2014

BY THE ORDER OF THE PLANNING BOARD
OF THE TOWN OF RIVERHEAD



**TOWN OF RIVERHEAD
PLANNING BOARD**

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596
(631) 727-3200, EXT. 240, FAX (631) 727-9101

Book

Richard M. O'Dea, Chairman
Joseph H. Baier, Vice-Chair/Secretary

Stanley Carey, Member

Ed Densieski, Member
Lyle Wells, Member

Thomas C. Wolpert
Young and Young
400 Ostrander Ave.
Riverhead, NY
11901

November 6, 2014

**Resolution No. PB.2014.0094:
Modification of Chapter 12 Permit of Knolls of Fox Hill, Inc.
SCTM 0600-11-4-1.4**

Dear Mr. Wolpert;

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on November 6, 2014:

WHEREAS, the Riverhead Planning Board issued approval by resolution PB.2014.0078 pursuant to Chapter 12 of the Town Code to The Knolls of Fox Hill, Inc. for five years ongoing biannual maintenance of vegetation in the bluff area of their condo community's common area; a single and separate parcel known as SCTM 0600-11-4-1.4, and

WHEREAS, the permittee's agent has by letter dated 10/15/14 requested that the permit issued 9/18/14 and expiring 9/18/19 be modified to extend the work area approx. 160ft. east to the easterly property line; which area was previously excluded being identified by filed covenant as "area to remain natural", and

WHEREAS, council to the applicant has offered a legal opinion that the subject covenant (liber 10051, page 564) in its description of remaining natural, prohibits only construction in the area in question and that the maintenance of vegetation is not precluded, and

WHEREAS, the Planning Board and Council have reviewed the filed covenant and concur with that opinion, and

WHEREAS, the Riverhead Planning Department has reviewed the request and has recommended that the action continue to be considered Type II per 617.5(c)(6) as well as the project's continued conformance with Chapter 12's intent and its standards of issuance, now


THEREFORE, BE IT

RESOLVED, that the Chapter 12 permit of Knolls of Fox Hill, Inc. for maintenance of vegetation within the regulated Coastal Erosion Hazard Area (bluff area) be modified as shown on plans titled Survey for The Knolls of Fox Hill, Inc., by Howard W. Young, LS, dated 4/2/14 and last revised 10/1/14 to also allow the twice yearly maintenance it describes over the portion of the site identified to remain natural by restrictive covenant (liber 10051, page 564) for the remaining term of the permit, and

BE IT FURTHER

RESOLVED, that the modified approval by this resolution is subject to the identical terms and conditions imposed by Planning Board resolution PB.2014.0078 and that this resolution is to be appended to it. The applicant is reminded of the requirement to submit photographs of the area(s) to be treated before and after work is conducted; which photos shall include some reference of height (such as a person in the frame) to reveal scale before and after.

Very truly yours,

Richard M. O'Dea 

Richard O'Dea, Chairman
Riverhead Planning Board

A motion was made by Mr. Densieski and seconded by Mr. Wells that the aforementioned resolution be duly adopted:

THE VOTE

BAIER ABSENT YES ___ NO CAREY X YES ___ NO

WELLS X YES ___ NO DENSIESKI X YES ___ NO

O'DEA X YES ___ NO

THIS RESOLUTION X WAS ___ WAS NOT

THEREFORE DULY ADOPTED

CC: Rich Downs, code enforcement officer