

TOWN OF RIVERHEAD

COUNTY OF SUFFOLK: STATE OF NEW YORK

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RIVERHEAD PLANNING BOARD

Regular Meeting

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Held In-Person & Via Zoom

200 Howell Avenue  
Riverhead, NY 11901

January 5, 2023

B E F O R E:

JOANN WASKI - CHAIRWOMAN

RICHARD O'DEA - MEMBER

ED DENSIESKI - MEMBER

JOE BAIER - MEMBER

GEORGE NUNNARO - MEMBER

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EILEEN POWERS - ATTORNEY

ALL OTHER INTERESTED PARTIES

CHAIRWOMAN WASKI: Good evening, and welcome to the Town of Riverhead Planning Board. Today is Thursday, February 5, 2023. First time I've said that out loud.

MEMBER BAIER: It's January 5th.

CHAIRWOMAN WASKI: It's January 5th?

MEMBER BAIER: It's January 5th, it's not February 5th.

CHAIRWOMAN WASKI: Well, first time I'm saying that then too. Can we stand for the Pledge of Allegiance.

(Whereupon the Pledge of Allegiance was recited.)

CHAIRWOMAN WASKI: Okay. We do not have any public hearings this evening, so we will begin with our first discussion item, which is Riverhead Ciderhouse patio and tasting room expansion with Matt Charters.

MR. CHARTERS: For the record, Matt Charters, planner for the Town of Riverhead. I'd like to invite John King up, he's the owner of the property. John, you can come up to the table. While John is getting settled, this application was for the expansion of a patio area in the front of the building of about 1,200 square feet. That's what they initially submitted for. After site inspection, Mr. King did expand the tasting room of the

Ciderhouse about 5,000 square feet, it was formerly a wine storage area, so he has amended his application to reflect that. If you saw the plan that I sent out, it's labeled overflow assembly area just to the south of the existing patio, and to accommodate that he's proposing 36 gravel parking places on the access that comes off of Osborn Avenue.

Just to -- a little history of the site. It's got about 108,000 square foot building. This is the former Blackman site. It's been the Ciderhouse for quite a few years. The other uses on the property, it's got the cider center, cider processing and storage, wine storage, package and bottling area as well as the farm bureau refrigerator storage area and some wine storage and other agricultural storage on the property. So if you see on the plan, that's all labeled. In terms of SEQRA, this is unlisted. I'm recommending uncoordinated review and a neg dec, there's no environmental impact expected as a result of this application. Some approval history, the Board did first approve this back in April of 2016, and then there was an amended

approval in November of 2017. Other than that, you know, the total required parking is 196 spaces including six ADA accessible spaces. We have referred this out to involved departments. We did get engineering comments, you have a revised report in front of you that reflects Drew's comments. He just needs some changes and some details included, as well as drainage calculations for the patio area. Other than that, it's pretty straight forward. There's some pictures included in the report of the expanded area. Some changes that we need on the plan just to show the fence and stuff that's not all shown, and I do have a resolution prepared to classify this as unlisted, issue a negative declaration, and another resolution to schedule a public hearing.

MEMBER BAIER: How many parking spaces exist now?

MR. CHARTERS: I believe it's 160.

MR. KING: I believe it's 196.

MR. CHARTERS: It will be 196, so what's minus 36? 160.

MEMBER BAIER: Okay. And how many does -- how many more does he need to put in?

MR. CHARTERS: 36 right on the nose.

MEMBER BAIER: So he'd have 196 then?

MR. CHARTERS: Correct, yes.

MEMBER BAIER: Where is the additional parking going to go?

MR. CHARTERS: So if you look on the entrance that's off of Osborn, do you have the plan, Joe?

MEMBER BAIER: Yes.

MR. CHARTERS: Right on the north side of that entrance he's doing gravel parking, 22 spaces.

MEMBER BAIER: It shows spaces there now.

MR. CHARTERS: Those are proposed new spaces.

MEMBER BAIER: Okay. It just shows them as existing.

MR. CHARTERS: Yeah, so if you see that there's a bubble out on the plans, it says new parking spaces with gravel placed, typical. It's just the label is not -- there's an arrow.

MEMBER BAIER: On that side?

MR. CHARTERS: Yeah, so they're on both sides. There's two arrows, the arrows branch off.

MEMBER BAIER: Okay. There's nothing there now in other words?

MR. CHARTERS: Nothing there now. So 22 along that northern side, there will be five by where the dumpster is, I imagine the dumpster is going to have to be relocated, and then 9 on the south side.

CHAIRWOMAN WASKI: There's no exit or entrance on Osborn Avenue, correct?

MR. KING: Yes, there is.

MR. CHARTERS: There is that exists now.

MEMBER DENSIESKI: There's an existing driveway there. Is there going to be a walkway from the new parking, or they're going to have to walk all the way around to the other side?

MR. KING: Same as what was opposite, they would have to walk all the way around.

MEMBER BAIER: There's something in your report about some of the work has been done already?

MR. CHARTERS: All of it. This is to legalize.

MEMBER BAIER: So the parking spaces are in?

MR. CHARTERS: Except for the parking,

sorry. So the parking will have to be done.

MEMBER BAIER: The plan I have here says proposed outdoor -- that's not proposed.

MR. CHARTERS: That's not proposed, that exists.

MEMBER BAIER: It exists. I can remember that from the last time.

MR. KING: I have a question. I thought my architect had said we needed, like, 22 parking spaces, so okay, I'm not used to this, the way it's laid out.

MR. CHARTERS: Yeah, based on the calculations that he has, John, it's 36.

MR. KING: Okay. Well, one of the things, and I read through the reports, said the outside, you know, where we extended the pavers?

MR. CHARTERS: Yes.

MR. KING: Okay. That always -- that area was always there. In other words --

MR. CHARTERS: There was some existing patio, this is to approve the new section.

MR. KING: Okay. But it's not new land, like, it was always walked on. The problem is there was some flooding that came, so we filled the land, and then we just put the pavers on it,



but the land was already there, so I don't know why we would need more parking spaces for that. We didn't add land.

MR. CHARTERS: Yeah, so the way the Town looks at it, it's an assembly area, people occupy it, they're eating there. The same thing for the inside. So that's the way the parking was calculated for the original patio, so that's why it's calculated this way for the expansion of the patio.

MR. KING: Okay. I just don't understand if it was always there and we made it so now you're not stepping in mud why it would be more parking spaces needed but --

MEMBER BAIER: I think that's because you're going to add tables and more people, and that means more parking.

MR. CHARTERS: Correct.

MR. KING: Okay. We haven't added more tables or more people, you know.

MEMBER BAIER: Yet.

CHAIRWOMAN WASKI: You have more square footage now.

MR. KING: It's been there for two years.

MR. CHARTERS: Without approval.

MR. JOHS: If I may?

MR. KING: I was under the impression --

MR. JOHS: I represent Mr. King, so if I may, just to clarify. I think what he was trying --

CHAIRWOMAN WASKI: If you could just have a seat and introduce yourself, please.

MR. JOHS: Frederick C. Johs, J-O-H-S, Lewis, Johs, Avallone, and Aviles, 1377 Motor Parkway, Islandia, New York 11749.

The space that Mr. King is referring to had always been utilized with picnic tables and games, et cetera, outside. It flooded and it got muddy, so they said to make it more palatable to the people that come to the premises they would put pavers in. I think what he's trying to say is it didn't increase the occupancy at all or the use of that area, it just made it more comfortable for them to be walking on. So that's the issue with respect to the additional parking spaces. It's not like there's an intention to add utilizable space because it was already utilized for the same purpose.

MR. CHARTERS: Well, the bulk of the

parking that's required is for the expanded tasting room area, which is about 5,000 square feet.

MR. JOHS: That's what I figured, and we weren't taking issue --

MR. KING: I wasn't taking any issue with the inside, I can understand that. Oh, also just to clarify, when I went down to Town Hall, I brought my checkbook with me, and we were going to add pavers, and I was told we didn't need to get a permit for pavers as long as they're not above 18 inches. Again, I'm not making excuses, we're here, we did what we did, but I was told we didn't need a permit for pavers. Now, I was told that when we put in the original also, and but they made me take it all up because they said they had an open site plan, and that's why you had to pick it up. So I put all the pavers down, this is before I opened and --

MEMBER DENSIESKI: This is just to resolve all the issues and legalize it.

MR. KING: Yeah. So what happened was I had put the pavers down, okay, and they made me pick them all up because there was an open permit, and then when the permit was finally

approved, then I put the pavers back down. So when I added on the other pavers, I didn't think there was an issue. It wasn't because I was trying to save taxes or I didn't want to pay for a permit.

CHAIRWOMAN WASKI: We're fine with the pavers. Everything is good there.

MR. CHARTERS: You're on the road to legalize.

MEMBER BAIER: Do we have to get another map according to the Town Engineer to make some modifications?

MR. CHARTERS: Modifications, yeah. We'll make it a condition of approval for a preliminary.

MR. JOHS: Are you referencing the fence?

MR. CHARTERS: There's a fence. There's Town Engineer's comments, which are in the revised report just for some paver details, parking details.

MR. JOHS: Sure. We can do that, not an issue.

MEMBER DENSIESKI: There we go.

CHAIRWOMAN WASKI: Okay. Very good.

Thank you. Thank you, Mr. King.

MR. KING: Thank you. Happy new year, everybody.

CHAIRWOMAN WASKI: All right. Let's move on to Jets 139 LLC, three lot minor subdivision with Heather Trojanowski.

MS. TROJANOWSKI: Good evening, everyone. For the record, Heather Trojanowski, site plan reviewer. And this is a three lot minor subdivision application proposing to subdivide an existing 41.1708 acre parcel to create new individual lots. The submitted map, lot one would have a size of 2.2333 acres, lot two would have a size of 32.9407 acres, and lot three would have a size of 5.9919 acres, and the subject parcel is identified as Suffolk County Tax Map Number 600-22-2-12. It's a T-shaped parcel, it's located on the south side of Sound Avenue with the lot having approximately 481 feet of frontage on Manor Lane and then approximately 460 feet of frontage on Sound Avenue. The lot is presently improved with a single family dwelling, two framed barns, and a small framed building, so lot one proposed will retain all of those structures. And the current map that has been submitted, all of the proposed lots do

conform to the dimensional regulations of the APZ Zoning Use District. So it's a minimum 80,000 square foot lot size. And let's see, the letter of intent that was included with the application packet that you saw, the owner wants to sell the development rights off of proposed lots two and three to the County. We don't have any documentation or correspondence from the County. Mr. Cuddy is the attorney for the applicant, so he can probably speak more to that than I can.

MR. CUDDY: Okay. The --

CHAIRWOMAN WASKI: Mr. Cuddy, if you don't mind, I don't think the --

MR. CUDDY: Charles Cuddy, C-U-D-D-Y, 445 Griffing Avenue, Riverhead, New York.

The County had its meeting in November and accepted lots two and three, the sale of development rights. The County doesn't usually do resolutions, they do minutes, and I don't have a copy of their minutes, but I can tell you it was approved, I was at the meeting.

MEMBER BAIER: What do you mean by approved?

MR. CUDDY: Excuse me?

MEMBER BAIER: What do you mean by approved?

MR. CUDDY: They approved the sale to the County. And what that -- it's just a recommendation, because the Farm Committee just recommends to the legislature, and the legislature has to get a plan from the Planning Department, and they approve it. This goes on for months and months.

MEMBER BAIER: Yeah, and then they've got to have an assessment.

MR. CUDDY: Yeah, then they do an appraisal, and they find out what the value is, and they send you a letter saying we offer to do this, and then you go to contract, and it goes on for eight or ten months.

MEMBER BAIER: Do you have to go before the Farm Committee here?

MR. CUDDY: Yes, not the County Farm Committee. It meets in the co-op here in Riverhead, and they actually look at the plans, they have points for where it's located and so on. This was next to the development rights land, so they wanted to get this land. I expect that they'll make an offer for it because

they've said yes, the whole committee unanimously approved it, we just don't know how much the money will be, and that becomes important. But I also came to say one other thing: My clients own the parcel if you look on your map --

CHAIRWOMAN WASKI: Mr. Cuddy, could you just speak up a little?

MR. CUDDY: I'm sorry, okay. The parcel that's down close to Sound Avenue it says now or formerly Jets 139 LLC is a five and a half acre parcel. They would like to as of yesterday add that to this map, so we're going to revise the map to add an additional five and a half acres. Those five and a half acres will not be sold, they'll stay with the development rights in tact so that the two parcels that eventually will have either houses on them or now have houses are parcel one and this new parcel. But the rest is to be sold off to the County.

MEMBER BAIER: You said -- you said that Jets 139 LLC, that's going to go to the County as well?

MR. CUDDY: No, that's not. That's going to be a five acre parcel that will be divided



into either one or two lots, and those lots will have development rights in tact.

MEMBER BAIER: I thought you said somebody was going to add land for the submission to the County, no?

MR. CUDDY: No, they're not going to add anymore. The land that they're going to add will just be development rights in tact land, they won't be sold.

MEMBER O'DEA: Joe, the title report is on -- the title report had been forwarded to the Planning Board attorney?

MS. TROJANOWSKI: So I did forward the title report to Eileen. The Schedule A description is lacking. There are no meets and bounds. So we were going to ask that the deeds that were listed on there be provided. I'm not sure how they came up with the meets and bounds for the map, but the Schedule A description, you know, just talks about the boundaries of the --

ATTORNEY POWERS: It just says, like, on the west by land now or formerly -- sometimes that's how they did it back in the day, but I would like to see the deeds to see.

MR. CUDDY: This is old property. It's

been in the Cichanowicz family for probably a hundred years.

ATTORNEY POWERS: Okay. So you don't expect me to see much more in those deeds than --

MR. CUDDY: Well, we can make up a new description, but the deeds I think are going to show just what we did, that's where we got it from, the old deeds.

ATTORNEY POWERS: I think we need something to show what we're talking about there.

MR. CUDDY: We can make a better description because we're going to have to make a description for the County.

ATTORNEY POWERS: Right. You're going to have to do it anyway, right, and you have obviously a plan there.

MR. CUDDY: We can do that. It's just that that's the way it was. It's been around that way for probably a hundred years.

ATTORNEY POWERS: Do you have some of those deeds? There's only two or three deeds.

MR. CUDDY: Yeah.

ATTORNEY POWERS: Okay. So if you could send me those for now, and then when you work

on the description.

MS. TROJANOWSKI: So in addition to them having to amend the map to include that fourth lot, just a couple of things that the future easement that's shown on the now or formerly owned by Jets 139 LLC, it's currently shown as an out parcel on the map that you have, we would need a legal description of that, and then also it says a new easement on the western portion of lot number one. Is that -- I'm not sure if that's going to be used for access, but there's also no legal description there. Just a couple of things that we would need.

MR. CUDDY: That was access because the County requires access, as I said, to the development right parcels. So that was access from Sound Avenue and we gave them access from --

ATTORNEY POWERS: When is that being done, do you know?

MR. CUDDY: When these descriptions will --

ATTORNEY POWERS: No, the transfer to the County. Do you have an agreement in principle with them?

MR. CUDDY: No. What I explained is what you first do is you go to the Farm Committee, and the Farm Committee approves it, but that's just the first step. And so --

ATTORNEY POWERS: Did they approve it?

MR. CUDDY: They approved it. And I expect that we would get a letter probably in about two or three months, and then it will be two or three months after that we'll get a contract and --

ATTORNEY POWERS: And then they have to see if they have the money.

MS. TROJANOWSKI: God forbid, if it were to fall through, if they weren't -- if the assessment came back and they weren't to get what they wanted for it, that larger lot, lot two has the potential to be a pretty sizable major subdivision. And they're showing that 33 foot wide access off of Manor, but it might be better for the applicants to show a 50 foot wide that way if down the road the development rights aren't sold and they come in for a major subdivision, they already have that 55 foot wide --

MR. CUDDY: We agree.

MEMBER DENSIESKI: That's smart planning for sure, but let's hope it does get sold to the County.

MR. CUDDY: Their plan is to sell it.

MEMBER BAIER: Does the County have money?

MR. CUDDY: Yes, they do. A lot of money. It's nice that somebody does.

MS. TROJANOWSKI: Yeah, so I mean, other than that, I did refer it to a couple of different agencies. New York State Historic Preservation Office, they had no issue with the subdivision. Obviously if any of the lots were to be developed in any way, whether it's for residential or for farm structures, we would have to refer it to them. Manor Road is a County road, DPW didn't have any issue with the subdivision. I would think that if they were to ever improve that access to lot two off of Manor Lane they would need something from DPW for work within the County right of way there.

CHAIRWOMAN WASKI: Did you just say that Manor Road is County road?

MS. TROJANOWSKI: Yes, County Road 22. That's what it's labeled as on GIS and Greg and I actually contacted DPW just to verify that,

and I don't believe we've heard back yet, but I did refer it to them and they didn't have an issue with the subdivision, so no permit for the subdivision is required.

MEMBER O'DEA: Manor Lane is a County Road?

CHAIRWOMAN WASKI: I knew that Aldridge Lane I thought was, but I didn't know Manor.

MS. TROJANOWSKI: Unless our GIS is wrong. So once we get the revised maps, I will edit the SEQRA resolution and put it on for the next meeting. I pulled it today just because obviously the square footages of the lots I had on there wouldn't match what the revised maps would have. So the next step would be to get the revised map, classify SEQRA, and then schedule a public hearing for this.

CHAIRWOMAN WASKI: Very good. All right. Thank you, Mr. Cuddy. Thank you, Heather.

Next up, we have the Villas at Roanoke with Greg Bergman.

MR. BERGMAN: Thank you, Board Members. So we are here to -- I'm here to give you an update on the Villas at Roanoke major subdivision, which is a 14 lot proposed

residential subdivision up on the south side of Sound Shore Road. This application has been under review by the Planning Board now since, believe it or not, January of 2019. You've passed a number of resolutions relating to this application. In 2019 you approved a six lot as of right yield map. In November of 2019, the Board approved a 13 lot increased density transfer of development rights yield map. In January of 2020, you approved a 14 lot Long Island Workforce Housing Act compliant sketch plan. They basically got one additional lot that will be reserved as an affordable housing unit under the Workforce Housing Act. We've had a public hearing on the application, and the Board approved a resolution -- the resolution was actually approved in November of 2022, but it is Resolution Number 2020-077. The reason for that long delay is that the Board was ready to approve that preliminary plat resolution back in November of 2020, however, the applicant wanted to do some of the leg work, they wanted to understand the costs to bring water to the subject property, so they went through a map and plan process with the Water District. They

finally did that, so that's the reason for that two year delay between the approval resolution.

MEMBER DENSIESKI: Greg, wasn't there some talk back then, I don't remember that well, but about the County acquiring that parcel?

MR. BERGMAN: Yes, that was -- when we started to initially review the application, that was one of the avenues that the applicant was pursuing to have it -- you know, they were going to go through the process, get it assessed, go through the County, and negotiate with the County to try to purchase it because it does, you know -- it doesn't directly abut the North Fork Preserve, believe it or not, there's actually a small flag lot that separates them, but it is for the most part contiguous. I think negotiations between the County and the property owner, I don't think they were able to come to a number. I don't know the current status of that right now, but again, from the beginning of this and throughout the pendency of the review we've treated this application -- the Board has to review it as if it has the potential to be built, so we've treated it as such. If the Board wants a little



more information on that, Mr. Cuddy can explain a little further. So since the Board adopted that preliminary plat approval resolution, the applicant did perform a Phase 1 archaeological survey, and a Phase 2 archaeological investigation of the subject property. That was submitted to the New York State Office of Parks, Recreation, and Historic Preservation. We did get a letter from the SHPO, a letter dated December 12, 2022, and SHPO found that no archaeological and/or historic resources would be impacted by the proposed development, so that ticked one of those boxes off of the preliminary plat resolution. The Town Board did approve the lateral water main extension. They approved that at the Town Board meeting on December 20, 2022. There was a slight modification from the preliminary plat to the final plat, and it relates to the location of the drainage area. So the applicant has submitted a revised road and drainage plan. I did refer that to the Board's consulting engineer for his review and comment. Again, not a significant change, it doesn't change the layout of the lots or the configuration of the

open space. And so I'm here -- I did get a request from the applicant in the conditions of approval for the preliminary plat one of the conditions was the map shall show a five foot black vinyl coated chain link fence between the residential properties and the open space area. The reason for that and the logic behind it was that typically we see when there's open space or buffer areas people kind of treat it like it's their backyard, they encroach into it, they clear, they'll put structures there, so there was a thought that if there's some sort of physical delineation there it will kind of help get ahead of that problem and prevent some of that encroachment. The applicant did request though, basically chain link fences come in standard heights of four foot or six foot high. Five foot is kind of an outlier. So I'm here to ask the Board if they would be amenable to either a four foot or a six foot. From staff's perspective, as long as there's some type of physical delineation I think that will serve to prevent some of that encroachment into that area. I would have no opposition to either four foot or --

MEMBER O'DEA: Six would be nice.

MEMBER BAIER: I feel that way too.

MR. CUDDY: We would hope that you would permit us to have a four foot fence. One of the reasons for the not having a five foot is five feet is something which costs a great deal more because it's something that they don't produce very often. And all you're doing is you're surrounding the open space area with just a demarcation line so that people know where it is. So we would hope that four feet would be sufficient to do that. When you put up a six foot fence --

MEMBER DENSIESKI: If there's going to be abuse, it doesn't matter if it's four, six, or twenty.

MR. CUDDY: I concur that that's probably going to happen, but the reason I think that four feet is fair is that if you put up a six foot fence, it's like a barrier. I mean, don't forget, this is hundreds of feet long. It's not just a small fence, it goes around the entire open space area, which is the entire site.

CHAIRWOMAN WASKI: I'm fine with the four feet.

MR. CUDDY: I would hope that four feet would be sufficient.

ATTORNEY POWERS: Will the HOA --

MEMBER NUNNARO: My only issue is if we're worried about things finding their way on the other side of the fence, four foot is easy to get over, six foot is a lot more difficult. That would be my only reservation.

MEMBER BAIER: It's harder to throw leaves over too.

MEMBER NUNNARO: It's just -- they're going to throw stuff on the other side. I mean, if the rest of the Board is good with four, I'll be good with four, but you know.

MR. CUDDY: I think part of it is an aesthetic look too. Six foot is a barrier fence.

CHAIRWOMAN WASKI: That's what I think too.

ATTORNEY POWERS: I mean, the whole idea is not to have anything for open space.

MR. CUDDY: The problem is you're trying to save the open space, and I think that the open space is significant enough that a fence is worthwhile, but I think to put up a six foot

fence is a big fence.

ATTORNEY POWERS: Is it the HOA that's going to maintain the fence?

MR. CUDDY: Yes.

ATTORNEY POWERS: And enforce the open space?

MR. CUDDY: Yes.

MR. BERGMAN: Four or six, I think, as long as it's some kind of physical barrier. I mean, if someone is going to go and rake their yard and throw the leaves over the fence, I mean, the leaves in the open space are going to fall there, they'll naturally decompose an mulch. A typical, like, if you install a stockade fence or a vinyl fence, that is six feet, so that's a standard residential fence. I mean, defer to the Board, but really four or six as long as the big thing is clearing, dumping, putting structures into those areas, encroaching with pools, sheds, gazebos, that sort of thing.

MR. CUDDY: Again, I say six feet is a high fence.

CHAIRWOMAN WASKI: It is. Aesthetically it is.

MR. CUDDY: There's some aesthetic to this

too. It's someone's backyard you're talking about.

CHAIRWOMAN WASKI: I have a huge deer fence in the back of my yard, and it's high, and it's very visible.

MEMBER BAIER: Deer fences are bigger than six feet.

CHAIRWOMAN WASKI: It is, but I'm just saying, for the purpose of what this is I really do not see a reason for it to be six foot.

MEMBER DENSIESKI: Take a straw poll and see.

MEMBER NUNNARO: Four is okay. You want six?

MEMBER O'DEA: Yeah.

MEMBER DENSIESKI: I'll go with four.

CHAIRWOMAN WASKI: I'm with four.

MEMBER NUNNARO: I'll go with four.

MEMBER BAIER: Make it four.

CHAIRWOMAN WASKI: There you go, you got four.

MR. CUDDY: Thank you.

MR. BERGMAN: All right. So I mean, if get to the point for final plat approval, we'll just amend that condition from the preliminary.

MEMBER BAIER: Do you need a public hearing for the final map?

MR. BERGMAN: No, not for the final. We had a public hearing -- on the preliminary we had a public hearing I want to say it was probably August.

MEMBER BAIER: Yeah, I know that, but for the final --

MR. BERGMAN: We do not need a public hearing on the final plat.

CHAIRWOMAN WASKI: And this has been going on since 2019?

MR. BERGMAN: Yes. Again, there was a two year delay obviously with COVID and the applicant wanting to get to understand the cost to build out, so I mean there was a two year delay that was not on this Board.

MR. CUDDY: It was not attributed to the Planning Board.

MEMBER BAIER: What happened with the County trying to --

MR. CUDDY: The County gave a very, very small offer. And they tried to negotiate with them, and they said no, that's the offer, take it or leave it, so they decided to leave it.

CHAIRWOMAN WASKI: All right. Very good.  
Thank you very much.

All right. Do we have any public  
comments on the resolutions? Okay.

MEMBER BAIER: Resolution Number 1 of  
2023, which proceeds to SEQRA and assumes a neg  
dec on Riverhead Clearinghouse.

MEMBER DENSIESKI: Second the motion.

CHAIRWOMAN WASKI: Vote, please. Baier?

MEMBER BAIER: Yes.

CHAIRWOMAN WASKI: O'Dea?

MEMBER O'DEA: Yes.

CHAIRWOMAN WASKI: Nunnaro?

MEMBER NUNNARO: Aye.

CHAIRWOMAN WASKI: Densieski?

MEMBER DENSIESKI: Aye.

CHAIRWOMAN WASKI: Waski? Yes.

MEMBER DENSIESKI: I'll move Resolution  
Number 2 of 2023 for the Riverhead Ciderhouse  
Patio and Tasting Room for a public hearing. So  
moved.

MEMBER NUNNARO: Second.

MEMBER O'DEA: Second.

CHAIRWOMAN WASKI: Vote, please. Baier?

MEMBER BAIER: Yes.



CHAIRWOMAN WASKI: O'Dea?

MEMBER O'DEA: Yes.

CHAIRWOMAN WASKI: Nunnaro?

MEMBER NUNNARO: Aye.

CHAIRWOMAN WASKI: Densieski?

MEMBER DENSIESKI: Aye.

CHAIRWOMAN WASKI: Waski? Yes.

MEMBER BAIER: When is that public hearing?

MR. BERGMAN: I believe that would be the first meeting in February.

CHAIRWOMAN WASKI: All right. Do we have any public comments on all matters?

MR. CULLEN: Hi, John Cullen. Villas at Roanoke. I know I've spoken here before, they're going to be putting up 14 houses around the corner from my home. Yes, Al Krupski, I spoke with two weeks ago about asking as far as another offer would come from the County, and as Al told me, the hook was in the mouth, and they yanked it out during that time because during the pandemic the prices all went up, and they saw the green pasture a little further than what the County had offered. I was really hoping the County would come back and go through

and preserve this property. It's right next to the North Fork Preserve, and I can only hope that somehow the County can work with Mr. Cuddy and with the Villas at Roanoke and maybe come up with another number that works for everybody.

Obviously building prices have also gone up sky high as far as buying lumber and building a roadway and doing all this to the beauty that is there right now by putting in a road up the hill and a circle back down and 14 houses at about I think it was 2,100 feet to 3,000 square feet or whatever it was, maybe it was 30,000 square feet, I forget on the number. But it would be nice if it could stay the same. Thank you for your time.

MEMBER BAIER: Can I ask you a question?

MR. CULLEN: Yes. Could you speak up, please?

MEMBER BAIER: During the testimony it was said that between the subdivision and the North Fork Preserve there was a small lot.

MR. CULLEN: I think it's about 14 acres, but it would be kissing --

MEMBER BAIER: Oh, it's not small then.

MR. BERGMAN: What I said, in

between -- it's basically imperceptible if you look at, like, the Suffolk County Tax Map, but in between the North Fork Preserve property, there is -- it's actually the property directly to the south of the Villas at Roanoke right now on the map it is shown as now or formerly Fernando Bustamonte (phonetic) LLC.

Development rights are sold on that property, but the way the lot is configured it actually comes up and there's a small flag lot that borders this property.

MEMBER BAIER: On South Shore Road?

MR. BERGMAN: I think I might have misspoke. It's maybe 15 feet wide, 20 feet wide, but it is a flag lot, so these parcels -- the Villas at Roanoke and the North Fork Preserve are not directly contiguous. There is a small flag lot.

MEMBER BAIER: Is it built?

MR. BERGMAN: No, I mean, no. It's wooded, it's probably 20 feet wide. I mean, nothing is ever going to happen on that flag lot, but they are not directly contiguous, which is kind of odd.

MR. CULLEN: So Greg, what you're saying

is that the North Fork Preserve and the property of Villas at Roanoke, they do not kiss?

MR. BERGMAN: Correct.

MR. CULLEN: So if the County purchased it, it wouldn't be adding to the property?

(Whereupon Mr. Bergman offers explanation to Mr. Cullen.)

MR. CULLEN: I'm aware of that flag, but this is the North Fork Preserve and this is the site, so yes, they do kiss each other.

MR. BERGMAN: Except for the flag lot here.

MR. CULLEN: Well, I've tried my best to try and preserve it, and I presume the houses are going to go up.

MEMBER BAIER: Well, my thought was it's not built on, it's a vacant lot, possibly they might be interested also in selling their lot to the County.

MR. CULLEN: That's what I'm hoping for also.

MEMBER BAIER: Somebody's got to initiate it.

MR. CULLEN: They did have a deal, as I said, the hook was in the mouth and they yanked

it when the --

MEMBER BAIER: I'm talking about the small lot now. That's all. If the small lot makes application to the County to let's say expand the North Fork Preserve, now there's a reason possibly for the County to look at this subdivision because they're together. But they're not together now. Probably the reason why the County made such a poor offer.

MR. CULLEN: I'll make that call to Legislator Krupski's office. Thank you.

Is this also public comment time right now for everything or just on resolutions? Everything. I just want to thank the Planning Board for the moratorium that you've recommended to the Town Board of Riverhead. Last night unfortunately three votes went against your recommendation. It was very sad. I think the moratorium was the way it should have gone. The poor people in Calverton are just being smothered with development right now. And even the giant warehouses, 10 million square feet of warehousing that they're talking about going in that way, it would have been nice for them to wait for the comprehensive plan to be

finished. Unfortunately the comprehensive plan hasn't even been signed yet. It was passed over two weeks ago as a resolution here in this room, and it still hasn't been signed, which I find disappointing. I was very disappointed in the three members that declined and said let's move on. We don't care what the Planning Board said, and they didn't care what eight weeks of this room being filled begging for a moratorium, begging and asking for something so easy that did not happen. But thank you for your time and for putting that resolution up there to the Board. Thank you. Happy new year.

CHAIRWOMAN WASKI: Thank you.

MR. MURPHREE: Jefferson Murphree, Building and Planning Administrator. The contract has been signed and executed. The consultants have already started working on the update, and on January 26th they'll be consenting at the 26th work session.

CHAIRWOMAN WASKI: Thank you for that information.

MS. TERCHUN: Hello, good evening. Toqui Terchun, the Greater Calverton Civic Association President. I also am here to thank

you, and I'm also here to listen because I'd like to learn more about this Planning process and different pieces like that are on the agenda tonight, but I do want to also thank you. The opinion that you so thoughtfully put together, three pages worth of details. We were hoping that the 5-0 vote that you offered with that piece and that communication to the Town Board that they would act in concert with you. Instead what I learned yesterday, today is Thursday, right? Yeah, Wednesday afternoon at the Town Board session was that Supervisor admonished this Board and one member in particular saying that they were not forthcoming with information and were not abiding by the Suffolk County Planning Commission. I don't see how these two different bodies can coexist and be working in concert for the Town and for the people of Riverhead. I don't know what that piece of paper was that the Supervisor was referring to, but it would be helpful if you all know what she's talking about as well because it's your reputation that's on the line also, and we as residents feel for that especially when you're

trying to do something good for us. Thank you very much again.

CHAIRWOMAN WASKI: Thank you.

MR. SCHIAVONI: I'm glad I let John go first because he teed it up pretty nicely. Don't worry, I'm not going to go through everything in this file. Vinny Schiavoni, Calverton. I just want to make a couple of comments. First of all, I'm going to echo what John said. I want to really extend my appreciation and gratitude to each and every one of you. I've been watching these Planning Board meetings, and I actually spoke over Zoom a number of months ago with respect to North Point, and quite frankly, your concern for Riverhead residents is completely evident in the work that you do and, again, the moratorium that you also passed. And I spoke at the Town Board meeting back on December 20th in support of the moratorium, and we know how that went actually yesterday. So I'm going reiterate some of the comments I made at the December 20th Board meeting because unfortunately I was out of town and I could not get to the one last night. But my comments are going to be directed at H.K.



Ventures, and to provide some context into that because I know the comment section is still open I believe is until the 13th, and I just want to comment on their supplement draft impact statement, but to provide some context to that, the last Board meeting, which I believe was December 20th -- I'm sorry, may I continue?

CHAIRWOMAN WASKI: Yes, please. I apologize.

MR. SCHIAVONI: At the last Board meeting, I wasn't here December 1st, but I did review the recorded session of it, and some of the comments regarding their trip generation analysis included, quote, unquote, appeared reasonable and also adequate. I'm going to respectfully disagree, and I'm going to tell you why, and I'm going to reiterate some of the comments that I made at the December 20th Board meeting. The trip generator analysis that is being used for H.K. to complete their commutative impact survey that includes North Point is using a land code of 150 for traditional warehouses. Now, I provided a study to the Board on high queue warehouses and distribution center, which North Point have self-disclosed themselves as their

business, high queue distribution center. And I have the study here, which I'll provide to you as well, which goes on to define five different categories of high queue warehouses, each with their own ITE land code use. They're not a traditional warehouse that should be utilizing a 150 land code use. I have to put my glasses on just to check on some of my notes. Just to give you some examples, there are dramatically traffic calculations for each land code use. Two of the most relevant ones is high queue fulfillment centers, that land code is 155. 156 for high queue parcel hubs. Again, very different than traditional warehouse operations. IT estimates land use 150 for traditional warehouse at .19 trips per 1,000 square feet. In comparison, ITE estimates land use 155 for high queue distribution centers at 1.37, over seven times more. H.K. Ventures in their impact statement is utilizing 150 for their traffic analysis, which is going to be completely incorrect because quite frankly I don't think anybody knows what North Point is trying to build there. So you can't use the 150 traditional warehouse when conducting a

comparative traffic analysis. Furthermore, if North Point is going to say and use 150, then they're claiming they're a traditional warehouse, and they're foregoing their right to be a high queue distribution center, which I'll argue is nowhere in the code for that type of operation. So one would argue that their complete application should be completely dismissed because it's not even in the code. Your moratorium was to me the only responsible way forward because there are so many questions, so much ambiguity in the code language, and quite frankly, so much confusion about land use codes, which a big concern of mine, we have all these different traffic consultants, all these different planners, no disrespect, nobody has raised the issue, which is mind boggling to me. I'm not a traffic expert, but I conducted research and it took me about 30 minutes to find this information on the Institute of Transportation Engineer's website. It's all there. The 10th edition and the 11th edition all include land use codes for high queue warehouse distribution centers. Those are the ones that have to be used so you can have an

understanding of what the traffic impact would be for all these different structures, quite frankly. So I ask you, challenge these impact statements with respect to their traffic analysis. Are they using the correct code? Right now, it doesn't look like they are. Thank you very much.

CHAIRWOMAN WASKI: Thank you. All right. Do we have anyone else that would like to come up? Seeing that there is no one, can we have a motion for the minutes?

MEMBER NUNNARO: I'll move the minutes of November 17th. So moved.

MEMBER DENSIESKI: Second.

CHAIRWOMAN WASKI: All in favor?

(Aye said in unison.)

CHAIRWOMAN WASKI: Opposed?

MEMBER BAIER: I'll move the minutes of December 1st.

MEMBER NUNNARO: Second.

CHAIRWOMAN WASKI: All in favor?

(Aye said in unison.)

CHAIRWOMAN WASKI: Other business?  
Correspondences? Okay. We are now going to go into Executive Session for the reason of

obtaining advice from our legal counsel. So if everyone could leave the room.

MEMBER BAIER: I'll move Executive Session.

MEMBER NUNNARO: Second.

CHAIRWOMAN WASKI: All in favor?

(Aye said in unison.)

MR. SCHIAVONI: Can I just submit this to the Planning Board? This is the study on high queue warehousing. I also provided it at the Town Board meeting, so I'm not sure if you've gotten a copy from them. My apologies for being repetitive.

CHAIRWOMAN WASKI: Thank you.

(Whereupon the Board went into Executive Session from 6:49 p.m. to 7:03 p.m.)

MEMBER DENSIESKI: Make a motion that we close the session -- the Executive Session and open up to public session. So moved.

MEMBER NUNNARO: Second.

CHAIRWOMAN WASKI: All in favor?

(Aye said in unison.)

CHAIRWOMAN WASKI: All right. Our next meeting date is Thursday, January 19, 2023 at 3:00 p.m. Thank you, everyone, and have a good

evening.

MEMBER BAIER: Motion to adjourn.

MEMBER NUNNARO: Second.

CHAIRWOMAN WASKI: All in favor?

(Aye said in unison.)

(Whereupon the meeting was adjourned at

7:03 p.m.)



## C E R T I F I C A T E

I, AMY THOMAS, a Court Reporter and Notary Public,  
for and within the State of New York, do hereby  
certify:

THAT the above and foregoing contains a true and  
correct transcription of the proceedings held on  
January 5, 2023, and were reported by me.

I further certify that I am not related to any of  
the parties to this action by blood or by marriage and  
that I am in no way interested in the outcome of this  
matter

IN WITNESS WHEREOF, I have hereunto set my hand  
this 6th day of JANUARY, 2023.

---

AMY THOMAS