

**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*

*Stanley Carey, Member*

*Ed Densieski, Member*

*Joseph H. Baier, Vice-Chair/Secretary*

*Lyle Wells, Member*

June 19, 2014

Jeff A. Zahn  
215 Roanoke Ave.  
Riverhead, NY 11901

**Re: Bulkhead replacement for Renos Georgiou, 12 Cherry Lane, Wading River.  
SCTM 0600-26-2-1.1**

Dear Mr. Zahn:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on June 19, 2014:

**Resolution No. PB.2014.0047:  
Chapter 12 General Permit of Renos Georgiou**

**WHEREAS**, the high winds, storm surge and flooding due to Hurricane Sandy on October 29, 2012 caused severe property damage in Riverhead Town including along the shoreline of Long Island Sound which area is subject to State approved local administration of Article 34 of Environmental Conservation Law (Coastal Erosion Hazard Areas) as Chapter 12 of the Riverhead Town Code, and

**WHEREAS**, Governor Andrew Cuomo declared a State of Emergency and authorized the State Department of Environmental Conservation to assist local governments and residents affected by the storm in their response and recovery efforts including activities undertaken to repair, reconstruct or restore storm damaged structures and properties typically requiring DEC permits under State Environmental Conservation Law, and

**WHEREAS**, DEC Commissioner Joe Martens issued an emergency declaration and finding on October 30, 2012 which authorized the issuance of a General Permit (GP-0-12-006) effective 10/31/12 and expiring 10/31/13 authorizing certain activities under several ECL statutes including Article 34, and

**WHEREAS**, that issuance was extended (as General Permit GP-0-13-006) effective 7/16/13 and expiring 10/31/14, and

**WHEREAS**, the Town's approved administration of Article 34 allows the administrator Riverhead Planning Board to approve the activities covered by the General Permit, subject to its relevant conditions and in response to a notice of intent process similar to the State's with the usual application and supporting documentation being waived in lieu of a sufficient demonstration of qualification for coverage under the General Permit and the Planning Board has chosen to continue the past practice of the General Permit under the extension, and

**WHEREAS**, one such eligible activity is the in kind in place reconstruction of functional bulkheads with up to 18in. increased height, returns or extensions of returns of up to 10ft. and alternate materials such as vinyl sheathed wood also being authorized, and

**WHEREAS**, the Riverhead Planning Department is in receipt of a request from Jeff A. Zahn as authorized agent to Renos Georgiou of 12 Cherry Lane, Wading River (SCTM: 0600-26-2-1.1) for replacement of existing bulkheading with 96(+/-)ft. of new construction and has also provided photographic evidence of the preexisting structure, a copy of the State's General Permit issuance and a copy of a property survey by Harold F. Tranchon, LS, dated 4/29/13 on which the line of bulkheading is shown; which the Planning Department finds to be sufficient evidence of General Permit qualification, and

**WHEREAS**, the Planning Department has recommended the activity be considered a Type II action pursuant to 6 NYCRR Part 617.5(c)(2) as in kind replacement, now

**THEREFORE, BE IT**

**RESOLVED**, that the request of Renos Georgiou for Chapter 12 approval of 96(+/-)ft. bulkhead reconstruction under the auspices of General Permit GP-0-13-006 be approved as shown on survey by Harold Tranchon, LS, dated 4/29/13 and be considered a Type II action for purposes of SEQR compliance, and

**BE IT FURTHER**

**RESOLVED**, that this approval is subject to the terms and conditions of General Permit GP-0-13-006 and also the following:

1. A copy of this resolution, which shall represent the Town's authorized approval under Chapter 12, shall together with the survey and the State's GP-0-13-006 be available for inspection at the work site when work is in progress. The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by authorized representatives of the Town of Riverhead to determine whether the permittee is complying with this permission. Such representative may order the work suspended pursuant to Section 12-31 of the Town Code. The permittee shall require that any contractor, project engineer or other person responsible for the overall supervision of this project reads, understands and complies with this permit and all of its

- conditions. Any failure to comply precisely with the terms and conditions of this permit, unless authorized in writing, shall be treated as a violation of the Town Code. If any of the permit conditions are unclear, the permittee must contact the Riverhead Planning Department at the letterhead address or by telephone at (631) 727-3200, ext. 207;
2. The structure shall tie into the existing bulkhead line on the east side of the property and as provided by the General Permit, a 10ft. westerly return is authorized. If the permittee intends to undertake any project design modifications after permit issuance, the permittee must submit the appropriate plan changes to the Riverhead Planning Department for approval prior to their being undertaken. The permittee is advised that modification beyond the scope of the General Permit will require submission of a complete permit application. This approval expires along with the General Permit on 10/31/14;
3. The permittee has expressly accepted, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature and by whomever suffered, arising out of the project described herein and has agreed to indemnify and save harmless the Town of Riverhead from suit, actions, damages and costs of every name and description resulting from said project. This permit shall not be construed as conveying to the applicant any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work or as authorizing the impairment of any rights, title or interest in real or personal property held or vested in a person not a party to the permit. The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights of way which may be required for this project including building permit from the Riverhead Building Department;
4. The permittee is expressly granted beach access as necessary for the purposes of this approval under Chapter 48 of the Town Code and subject to the conditions of that code and Section 12-16 of Chapter 12. Any use of Town property to stage or store materials or equipment shall require the written permission of the Town. The permittee shall contact the Highway Department prior to accessing the site over Town held roadway ends;
5. That photographs of the new construction, sufficient to demonstrate its adherence to the terms of the General Permit, be submitted to the Riverhead Planning Department upon completion.

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

**THE VOTE**

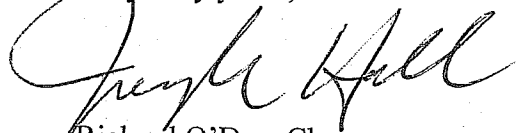
**BAIER X YES \_\_\_ NO    CAREY X YES \_\_\_ NO**

**WELLS X YES \_\_\_ NO    DENSIESKI X YES \_\_\_ NO**

**O'DEA X YES \_\_\_ NO**

THIS RESOLUTION X WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

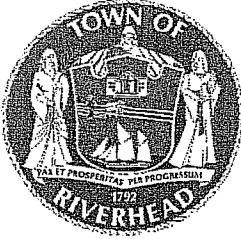
Very truly yours,



Richard O'Dea, Chairman  
Riverhead Planning Board

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CC: Rich Downs, code enforcement officer  
Building Department



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June 19, 2014

Mr. Christopher E. Kent  
Farrell Fritz, P.C. Attorneys at Law  
100 Motor Parkway, Ste. 138  
Hauppauge, NY 11788

**Re: Resolution No. PB.2014.0048  
Classifies Action, Claims Lead Agency and Determines  
SEQR Significance on Site Plan of sPower Solar and Authorizes Planning  
Board Clerk to Publish and Post Notice of Public Hearing**

Dear Mr. Kent:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on June 19, 2014:

**WHEREAS**, the Riverhead Planning Board is in receipt of a site plan petition from sPower Solar (Richwood Greenworks, LLC) to construct a solar array comprised of 30,460 panels on approximately 38ac. of a 45.1ac. parcel zoned Industrial A (IA) and more particularly identified as SCTM 0600-137-1-32.1, and

**WHEREAS**, the Riverhead Planning Department identified the intent as a Type I action pursuant to 6NYCRR Part 617.4(b)(6)(i) and (8) requiring coordinated SEQR review with involved agencies; which review was undertaken eliciting no interest in the role of lead agency, and

**WHEREAS**, the Planning Department has reviewed the long EAF and other project documentation and has prepared a SEQR report finding no indication of significant impact upon the natural and social environment; and

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

**THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Planning Board declares itself Lead Agency in the site plan of sPower Solar, and

**BE IT FURTHER**

**RESOLVED**, that the project be considered an Type I action without the potential for significant impact upon the natural and social environment and that an Environmental Impact Statement need not be prepared, and

**BE IT FURTHER**

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

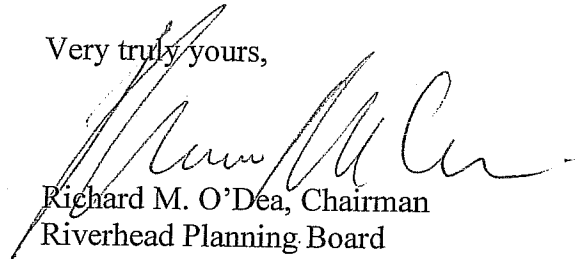
**BE IT FURTHER**

**RESOLVED**, that the Riverhead Planning Department be authorized to prepare and file the appropriate determination of significance notice pursuant to 6 NYCRR Part 617.12 and that a copy of this resolution be forwarded to the applicant or his agent.

**BE IT FURTHER**

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

Very truly yours,



Richard M. O'Dea, Chairman  
Riverhead Planning Board

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

**THE VOTE**

BAIER  YES \_\_\_ NO CAREY  YES \_\_\_ NO

WELLS  YES \_\_\_ NO DENSIESKI  YES \_\_\_ NO

O'DEA  YES \_\_\_ NO

THIS RESOLUTION  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 17<sup>th</sup> Day of July 2014 at 3:00 o'clock pm**, to consider a petition preliminary site plan petition of sPower Solar (Richwood Greenworks, LLC) to allow the installation of a solar array comprised of 30,460 solar modules encompassing 38 acres upon real property located at Edwards Avenue, Calverton, New York, known and designated as Suffolk County Tax Map Number No. 0600-137-1-32.1

Dated: Riverhead, New York  
July 3, 2014

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