

TOWN OF RIVERHEAD

TOWN BOARD MEETING AGENDA

LAURA JENS SMITH, Supervisor

**July 3, 2018
2:00 PM**

**James Wooten, Councilman
Councilwoman**

**Timothy Hubbard, Councilman
Councilwoman**

Jodi Giglio,

Catherine Kent,

**Diane Wilhelm, Town Clerk
Robert F. Kozakiewicz, Town Attorney**

ELECTED OFFICIALS

**Laverne Tennenberg
Paul Leszczynski
Mason E. Haas
George Woodson
Laurie Zaneski
Lori M. Hulse
Allen M. Smith**

**Chairwoman Board of Assessors
Board of Assessors
Board of Assessors
Highway Superintendent
Receiver of Taxes
Town Justice
Town Justice**

DEPARTMENT HEADS

**William Rothaar
Jefferson Murphree
Dawn Thomas
Drew Dillingham
Chief David Hegermiller
Ray Coyne
Judy Doll
Michael Reichel
Mark Conklin**

**Accounting Department
Building/Planning Department
Community Development
Engineering Department
Police Department
Recreation Department
Senior Services
Sewer District
Water Department**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF MINUTES OF

Town Board Meeting of June 19, 2018

Councilperson _____ offered to accept the
minutes, seconded by
Councilperson _____

******PLEASE BE ADVISED****
THE TIME FOR THE JULY 17TH, 2018
TOWN BOARD MEETING IS CHANGED TO 6:00 P.M.**

GUESTS

Former Town of Riverhead Employee Hawk Woodson is celebrating a birthday
today

Harriet Haas will join us to sing patriotic songs in honor of the 4th of July

REPORTS

- Tax Receiver total tax collection to date as of June 28, 2018 - \$154,482,706.82
- Building Department June Monthly Report - \$53,372.00
- Town Clerk June Monthly Report - \$13,060.89

CORRESPONDENCE

22 letters regarding proposed Special Permit Application of URT
3 letters regarding proposed legislation regulating Bamboo
6 letters regarding Q&E hearing (CAT)

PUBLIC HEARINGS

- 2:05 P.M. The Consideration of a Special Permit Petition of 84 Lumber Company for the Outdoor Storage of Lumber at 1751 West Main Street, Riverhead, NY (SCTM No. 0600-118-4-10)**
- 2:10 P.M. The Consideration of a Proposed Local Law to Amend the Code of the Town of Riverhead to Add a Chapter 225 Entitled “Environmental Quality Review”**

2018 TOWN BOARD MEETING DATES

MEETING DATE	MEETING PLACE	MEETING TIME
January 3, 2018	Town Hall	2:00 p.m.
January 17, 2018	Town Hall	7:00 p.m.
February 6, 2018	Town Hall	2:00 p.m.
February 21, 2018	Town Hall	7:00 p.m.
March 6, 2018	Town Hall	2:00 p.m.
March 20, 2018	Town Hall	7:00 p.m.
April 3, 2018	Town Hall	2:00 p.m.
April 17, 2018	Town Hall	7:00 p.m.
May 1, 2018	Town Hall	2:00 p.m.
May 16, 2018	Town Hall	7:00 p.m.
June 5, 2018	Town Hall	2:00 p.m.
June 19, 2018	Town Hall	7:00 p.m.
July 3, 2018	Town Hall	2:00 p.m.
July 17, 2018	Town Hall	6:00 p.m.
August 7, 2018	Town Hall	2:00 p.m.
August 21, 2018	Town Hall	7:00 p.m.
September 5, 2018	Town Hall	2:00 p.m.
September 18, 2018	Town Hall	7:00 p.m.
October 2, 2018	Town Hall	2:00 p.m.
October 16, 2018	Town Hall	7:00 p.m.
November 7, 2018	Town Hall	2:00 p.m.
November 20, 2018	Town Hall	7:00 p.m.
December 4, 2018	Town Hall	2:00 p.m.
December 18, 2018	Town Hall	7:00 p.m.

Public Hearings for Riverhead Town Board Meeting
Tuesday, July 3, 2018 at 2:00 P.M.

2:05 P.M. The Consideration of a Special Permit Petition of 84 Lumber Company for the Outdoor Storage of Lumber at 1751 West Main Street, Riverhead, NY (SCTM No. 0600-118-4-10)

**TOWN OF RIVERHEAD NOTICE
OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town at Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 3rd day of July, 2018 at 2:05 o'clock p.m. to consider the special use permit of 84 Lumber Company for the outdoor storage of lumber not to exceed 10% relating to the preexisting nonconforming use of the 84 Lumber Company, located at 1751 West Main Street, Riverhead, New York, which premises is also known as SCTM # 0600-118-4-10.

Dated: Riverhead, New York
June 5, 2018

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

DIANE M. WILHELM, TOWN CLERK

Public Hearings for Riverhead Town Board Meeting
Tuesday, July 3, 2018 at 2:00 P.M.

2:10 P.M. The Consideration of a Proposed Local Law to Amend the Code of the Town of Riverhead to Add a Chapter 225 Entitled “Environmental Quality Review”

TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town at Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 3rd day of July, 2018 at 2:10 o'clock p.m. to amend the Code of the Town of Riverhead to add a add Chapter 225 entitled "Environmental Quality Review" of the Riverhead Town Code.

Be it enacted by the Town Board of the Town of Riverhead as follows:

Chapter 225. Environmental Quality Review

§ 225-1. Title.

This chapter will be known as the "Town of Riverhead Environmental Quality Review Law."

§ 225-2. Purpose.

The purpose of this chapter is to implement for the Town of Riverhead the provisions of the State Environmental Quality Review Act and the State Environmental Quality Review Regulations, thereby incorporating environmental factors into the existing planning and decision-making process.

§ 225-3. Statutory authority.

This chapter is adopted under authority of the Municipal Home Rule Law, the State Environmental Quality Review Act and the State Environmental Quality Review Regulations.

§ 225-4. Definitions.

A. As used in this chapter, the following terms shall have the meanings indicated:

EAF

Environmental assessment form.

EIS

Environmental impact statement.

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

Article 8 of the Environmental Conservation Law, which is Chapter 43-B of the Consolidated Laws of the State of New York.

B. All other terms for which definitions are given in SEQRA and/or Part 617 have the same meanings in this chapter.

§ 225-5. Applicability.

All agencies, boards, departments, offices, other bodies or officers of the Town of Riverhead must comply with SEQRA, Part 617 and this chapter to the extent applicable prior to carrying out, approving or funding any action, other than an exempt, excluded or Type II action.

§ 225-6. Lead agency designation.

A. The lead agency is the agency (i.e., board, department, office, other body or officer of the Town) principally responsible for carrying out, funding or approving an action. The lead agency is responsible for assessing the proposed action's determination of environmental significance, coordinating review with involved agencies as may be required, and whether an EIS is required for the action. The lead agency is responsible for determining whether an EIS is required for the action and for preparing and filing the EIS if it is required.

B. Where more than one agency is involved, the lead agency is determined and designated as provided in Section 6 of Part 617.

C. The Planning Department will be the Town clearinghouse for lead agency designation. It will assist agencies and applicants to identify other federal, state and local agencies that may be involved in approving, funding or carrying out Type I and unlisted actions. The clearinghouse will make recommendations on the designation of lead agencies for particular actions.

D. The environmental review of actions involving a federal agency will be processed in accordance with Section 16 of Part 617.

§ 225-7. Environmental assessment and determination of significance.

A. When any agency, department, body, board or officer of the Town of Riverhead contemplates directly carrying out, funding or approving any Type I action, a full EAF must be prepared by it or on its behalf. When an unlisted action is contemplated, either a full or short-form EAF, as appropriate, must be prepared. The EAF forms given in Appendixes A, B and C of Part 617 will be used as models, but may be modified to meet the needs of particular cases. However, the final scope of such a modified EAF must be at least as comprehensive as the scope of the model forms.

B. When any person submits an application for funding or a permit or other approval of a Type I or unlisted action to any agency, department, body, board or officer of the Town, an EAF must accompany the application. For Type I actions, a full EAF must be prepared; for unlisted actions, either the full EAF or the short form may be used, as determined appropriate by the Department of Land Management. An applicant may choose to prepare a draft EIS in place of an EAF.

C. The lead agency must make a determination of environmental significance of the action. This determination must be based on the EAF or, with respect to unlisted actions, its own procedures, as the case may be, and on such other information as it may require. The criteria stated in Section 11 of Part 617 must also be considered by the lead agency in making its determination of significance. The determination must be made within 20 days of its designation as lead agency or with 20 days of its receipt of all information it requires, whichever is later.

D. For Type I actions, the lead agency must give public notice and file a determination of nonsignificance as provided in Subdivision 10(a)(3) of Part 617. For unlisted actions, the lead agency must send a determination of nonsignificance to the applicant and maintain its own records thereof in accordance with Section 6 and Subdivision 10(e) of Part 617.

E. If the lead agency makes a determination of nonsignificance, the direct action, approval or funding involved will be processed without further regard to SEQRA, Part 617 or this chapter.

F. The time of filing an application for approval or funding of an action commences from the date the determination of environmental nonsignificance is made. If the applicant prepared a draft EIS in lieu of an EAF, the time of filing commences from the date the lead agency accepts the draft EIS as adequate in scope and content and commences the public comment period.

§ 225-8. EIS preparation.

A. If, based on review of the EAF and other information, the lead agency determines that the proposed action may be environmentally significant, then an EIS must be prepared.

B. If an EIS is required, the lead agency must proceed as provided in Sections 8, 9 and 10 of Part 617. The draft EIS will normally be prepared by the applicant. If the applicant fails to prepare a draft EIS or prepares a draft EIS which is unacceptable to the lead agency, the lead agency may either prepare a draft EIS itself, discontinue further processing until the applicant can provide an acceptable draft EIS or deem the application abandoned and discontinue review.

C. If an EIS is required, a public scoping hearing shall be held on the draft EIS, and whenever possible, be concurrent with any other hearing on the application.

§ 225-9. Fees.

A fee shall be charged for the review or preparation of the draft EIS, and scoping shall be considered part of the draft EIS for purposes of determining the fee. Such fees will be equal to the maximum allowable under Section 617.17 of Part 617 of the New York Codes, Rules and Regulations. No agency shall have the authority to waive or modify this fee.

§ 225-10. Critical areas.

A. Critical areas of environmental concern will be designated, from time to time, by resolution of the Town Board in accordance with provisions of Subdivision 14(g) of Part 617.

B. The following have been designated by the Town Board as critical areas of environmental concern:

(1) Reserved

§ 225-11. Type I actions.

A. For purposes of this chapter, Type I actions include all those given in Section 4 of Part 617.

B. In addition, the following are deemed Type I actions:

(1) Motel and hotel complexes of 20 units or greater.

(2) New, or expansion of, sand, gravel or beach mining operations.

(3) New, or expansion of, solid waste management facilities.

(4) New wireless communication towers.

(5) Parking facilities or other facilities with an associated parking area where the total number of parking spaces, including both existing and proposed parking, is 50 spaces or greater.

(6) Subdivisions of residential land within the Agricultural Protection Zoning (APZ) District of 20 lots or more.

(7) Within a critical area of environmental concern or within a critical area designated to protect cultural, historic, archaeological or educationally important resources under § 225-10B, no Type I action or unlisted action shall cause land to be cleared, regraded, filled, excavated or built upon until an archaeological examination of the site area has been conducted and submitted to the Planning Board for review. An application for a building permit for a one-family dwelling within an approved subdivision plat which has undergone archaeological examination is not a Type I action under this chapter.

(8) Conversions to residential apartments, condominiums or cooperatives of 20 units or more.

(9) New residential apartments, condominiums or cooperatives of 20 units or more.

(10) Actions involving commercial or multifamily use within a Town of Riverhead Historic District or located within 500 feet of a Town of Riverhead Historic District boundary.

(11) Commercial expansion of a pre-existing, non-conforming use within any zoning use district.

(12) New, or expansion of, commercial solar energy production systems as defined under Chapter 301, Article LII: Commercial Solar Energy Production Systems.

§ 225-12. Type II actions.

A. For purposes of this chapter, Type II actions include all those listed in Section 5 of Part 617.

B. In addition, the following are deemed Type II actions, provided that they do not fall within the critical areas as outlined in Town Code § 225-10, are not classified as Type I actions as set forth in § 225-11, and comply with 6 NYCRR 617.5 (b)(1) and (2):

(1) Subdivisions of residential land into four lots or less where the subdivided parcels conform to Town of Riverhead Code Chapter 301 and are or have been restricted from further subdivision.

(2) Transfers of property.

(3) Transfers of development rights pursuant to an approved transfer of development right ordinance.

§ 225-13. When effective; copies to be filed.

This chapter shall take effect immediately upon filing in the office of the Secretary of State in accordance with § 27 of the Municipal Home Rule Law. A copy of this chapter must be filed with the Commissioner of the Department of Environmental Conservation.

- Overstrike represents deletion(s)

- **Underscore represents addition(s)**

**Dated: Riverhead, New York
June 5, 2018**

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

DIANE M. WILHELM, TOWN CLERK