

7/27/87

Minutes of a Special Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Monday, July 27, 1987 at 4:00 P.M.

Present: Joseph F. Janoski, Supervisor  
John Lombardi, Councilman  
Victor Prusinowski, Councilman  
Vincent Artale, Councilman  
Louis Boschetti, Councilman

WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

We, the undersigned, being all members of the Town Board of the Town of Riverhead, Suffolk County and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York, at 4:00 on the 27th day of July, 1987, and do consent to the holding of such meeting for the purpose of Appointing of a Police Chief for the Riverhead Police Department and any other matters that may come before the Board.

DATED: July 27, 1987

TOWN BOARD MEMBERS  
TOWN OF RIVERHEAD, NEW YORK

Joseph F. Janoski  
Supervisor

John Lombardi  
Councilman

Robert Pike  
Councilman

Victor Prusinowski  
Councilman

Louis Boschetti  
Councilman

FILED.

RESOLUTIONS

#522 APPOINTMENT OF CHIEF OF POLICE

Councilman Lombardi offered the following resolution, which was seconded by Councilman Prusinowski.

WHEREAS, a vacancy presently exists in the position of Chief of Police due to the retirement of Roscoe Palmer.

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RESOLUTIONS Continued:

NOW, THEREFORE, BE IT RESOLVED, that Lawrence Grattan be and is hereby appointed to the provisional position of Chief of Police at the annual salary of \$57,000 effective July 28, 1987, and

BE IT FURTHER RESOLVED, that the Town Supervisor be and is hereby authorized to execute a contract with Lawrence Grattan reflecting said salary, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Lawrence Grattan and the Office of the Accounting.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#523 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF AUCTION OF ABANDONED VEHICLES

Councilman Boschetti offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice of abandoned vehicles to be sold at Public Auction on August 8, 1987, at 9:00 a.m., pursuant to Section 1114 of the Vehicle and Traffic Law of the State of New York, to be held at the Riverhead Town Impound Area, located on Route 58, in the Town of Riverhead. Vehicles may be inspected prior to the auction on August 7, 1987, between the hours of 9:30 a.m. to 2:30 p.m.

AV-1-87	1977	Toyota	TE31224543
AV-2-87	1976	Buick	4D37C6G116917
AV-3-87	1974	Oldsmobile	3J29K4M340399
AV-4-87	1972	Chevrolet	1X27D2W286269
AV-5-87	1973	Chevrolet	IN45R2C134010
AV-6-87	1973	Chevrolet	1L47H3T136013
AV-7-87	1973	Plymouth	RH41G3R106150
AV-8-87	1975	Chrysler	SS22K59153908
AV-9-87	1979	Pontiac	2J37A92526157
AV-10-87	1975	Pontiac	2H37R5P158759
AV-11-87	1979	Dodge	NL41D9F105718
AV-12-87	1979	Ford	9T10Y278804
AV-13-87	1971	Volkswagen	1112745745
AV-14-87	1976	Toyota	TE37539006
AV-15-87	1965	Pontiac	233695P628125
AV-16-87	1972	Ford	2T11X199406
AV-17-87	1969	Dodge	1187122191
AV-18-87	1971	Dodge	LH41G1B265314
AV-19-87	1971	Ford	1E76S142817
AV-20-87	1970	Buick	454390Y127231
AV-21-87	1973	Cadillac	6D49R3E379220
AV-22-87	1976	Pontiac	2J57M6A231540
AV-23-87	1976	Toyota	TE38053364

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RESOLUTIONS Continued:

AV-24-87	1978	Alfa Romeo	AR116150003760
AV-25-87	1973	Buick	4T37T3Y179649
AV-26-87	1974	Chevrolet	1X69H4W110217
AV-27-87	1973	Chrysler	CL41M3C213435
AV-28-87	1973	Dodge	DM43K3F256577
AV-29-87	1976	Chevrolet	1X69D6T128418
AV-30-87	1975	Datsun	HLB210086275
AV-31-87	1969	Pontiac	223379U128603
AV-32-87	1973	Plymouth	PH46K3D304514
AV-33-87	1978	Chevrolet	1M07V8U110360
AV-34-87	1970	Volkswagen	1102870468
AV-35-87	1978	Datsun	HLB210662352
AV-36-87	1980	Plymouth	1M24JA1905963
AV-37-87	1974	Pontiac	2K57T4A147850
AV-38-87	1976	Chevrolet	IV77B6U133664
AV-39-87	1975	Chrysler	CL43M5C100885
AV-40-87	1971	Willys Jeep	CJ3A0718
AV-41-87	1979	Oldsmobile	3J87F9G400607
AV-42-87	1973	Pontiac	2P35S31101233
AV-43-87	1979	Ford	9T12Y135446
AV-44-87	1975	Chevrolet	CGY3554112545
AV-45-87	1973	Volvo	1456363188246
AV-46-87	1967	Chevrolet	164397T239383
AV-47-87	1980	Yamaha	3L5201677
AV-48-87	1980	Volkswagen	17A0801754
AV-49-87	1971	Lincoln	1Y89A835638
AV-50-87	Unknown	Honda	DA0100BS123504
AV-51-87	Unknown	Demm Smily	81586
TV-1-87	1983	Plymouth	2P3BB26S3DR176429
TV-2-87	1980	Ford	0A61G140200
TV-3-87	1983	Plymouth	2P3BB26SiDR176428
TV-4-87	1981	Ford	1FABP21BK249412
TV-5-87	1979	International	J0062JGD20298

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#524 WELCOMES GERMAN SOCCER TEAM TO TOWN OF RIVERHEAD AND PROCLAIMS JULY 29, 1987 AS "GERMAN SOCCER TEAM" DAY IN RIVERHEAD

Councilman Boschetti offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, the Town of Riverhead has welcomed visitors from the many nations of the world; and

WHEREAS, the arrival of the Soccer Team of the F.C. Stuck-enbrock Tour Group from Germany signifies an opportunity for the Town of Riverhead to display our great American culture and government.

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RESOLUTIONS Continued:

NOW, THEREFORE, BE IT RESOLVED, this Town Board does hereby proclaim July 29, 1987 as

"GERMAN SOCCER TEAM" DAY

in the Town of Riverhead, and we do urge our fellow citizens to demonstrate every kindness to our visitors during their stay.

FURTHERMORE, The Town of Riverhead invites our visitors to explore and enjoy the beauty and splendor of Riverhead.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#525 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: PROPOSED AMENDMENTS TO CHAPTER 108-110 OF THE RIVERHEAD TOWN CODE (BUSINESS CR)

Councilman Lombardi offered the following resolution, which was seconded by Councilman Boschetti.

RESOLVED, the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to the amendment of Section 108-110 ("Business CR") of the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of August, 1987 at 7:55 p.m. o'clock at a Town Board Meeting of the Riverhead Town Board at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons with regard to the amendments to Chapter 108-110 of the Riverhead Town Code with regard to the requirements for building use within the "Business CR" Zone in the Town of Riverhead. Below is a copy of the proposed "Business CR" Zone Code in full. The following contains all new material.

FURTHER NOTE that the public hearing previously noticed by this Town Board for this purpose to be held on August 4, 1987 will now be held on August 18, 1987 at 7:55 p.m. o'clock.

BY ORDER OF THE RIVERHEAD  
TOWN BOARD

Irene J. Pendzick, Town Clerk

Dated: July 27, 1987  
Riverhead, N.Y.

ARTICLE XXI

Business CR District - Neighborhood Business (Rural)

108 - 110 Purpose

It is the purpose of this article to provide for limited commercial activity adjacent to residential areas, and to thereby achieve both aesthetic quality and an open, campus style in development. For the purposes of this Article, campus style shall be that which exhibits an organized setting of architecturally-related buildings of modest scale, (an) internal courtyard(s), and extensive landscaping, with trees throughout the site. The campus style shall be achieved through the linkage of maximum building areas to site square footage, and through the landscaping of front, rear, and side yards, and parking areas.

108 - 110.1 Uses

In the Business CR District, no building, structure, or premises shall be used, arranged, or designed to be used, and no building or structure shall hereafter be erected, reconstructed, or altered, unless otherwise provided in this Chapter, except for the following permitted uses and their customary accessory uses:

A. Permitted Uses

1. Fully enclosed stores for the retail sale of consumer merchandise. This shall include establishments where products are made and sold on the premises, including but not limited to: bakery, ice cream shop, confectionary shop. Retail uses are permitted provided that no fabrication, manufacture, conversion, alteration, finish work, or assembly shall be permitted therein, except such as may be incidental to any retail sale or personal service use, provided that said incidental operation meets all applicable environmental criteria of the Town of Riverhead, Suffolk County, and the State of New York.

Not permitted in connection with a retail use are the following:

- a. An automobile sales lot, motor vehicle salesroom, public or private garage, storage, warehouse, or wholesale establishment;

- b. Any vending machine or amusement device, located outside of any structure. This prohibition does not apply to electronic funds transfer facility substations;
  - c. Any display, storage, or sale of goods, wares, or merchandise outside of any structure in any area other than that indicated for such outdoor display, storage, or sale on an approved site plan. Such display, storage, or sale areas shall not encroach any landscaped areas, parking areas, or areas intended for customer access.
2. Fully-enclosed personal service establishments, including but not limited to: barber shop, beauty shop, shoe repair shop, travel agency, and similar uses where such services are provided on the premises.
  3. Banks
  4. Professional studios or performing arts studios such as those for dance, music, arts and/or crafts, radio and/or television broadcasting, and recording, providing that no freestanding antennae are constructed so as to exceed a total height of thirty-five (35) feet.
  5. Professional offices as specially permitted in the Business PB District.
  6. Community center or offices or meeting rooms for philanthropic, fraternal, social, educational, or membership organizations.
  7. Mixed use buildings containing and combining office, banking, retail, personal service uses, and/or residential, subject to the condition that no fabrication, manufacture, conversion, alteration, finish work, or assembly shall be permitted therein.
  8. Restaurants, excluding outdoor counter service or drive-ins or curb establishments. Such a prohibition shall not prevent service at tables on a covered or uncovered terrace, patio, or porch incidental to a permitted restaurant. Restaurants with live entertainment shall require a special permit for said entertainment.
  9. Park, playground, or recreational area operated by the Town of Riverhead.
  10. Dry cleaning and hand laundry establishments.
  11. The retail sale and accessory storage and display of garden materials, plants, flowers, and supplies, including nursery-type operations, provided that the outdoor storage

or display of plant materials does not obstruct the flow of pedestrian or vehicular traffic and does not occur in any required yard or parking area. Any storage and/or display must be indicated on the approved site plan, or a revised site plan shall be required.

12. Library, museum, art gallery.
13. Place of worship. —
14. Public utility structures and utility rights-of-way, excluding garages and/or storage yards.
15. Telephone exchanges. —
16. Bus passenger shelter. —

#### B. Special Permit Uses

Approval is required of the Town Board for the special permit uses heretofore set forth:

1. Funeral homes or undertaking establishments.
2. Recreational uses.
3. Offices for telecommunications services or computer software publication/duplication.
4. Rolling or sliding security-type grilles, subject to the submission of an elevation drawing, to scale, clearly indicating the type and location of such device. Rolling or sliding security doors are prohibited.

#### C. Accessory Uses

Accessory uses shall include those uses customarily incidental to any of the above permitted uses when located on the same lot.

1. Garages for the storage only of commercial vehicles used for the delivery of goods purchased within the principal building, or for the storage of cleaning and snow removal equipment and materials for the parking area used in connection with the principal use(s) and only on that site.
2. Drive-up window(s) to a bank or funeral home. Each drive-up shall have not less than one hundred (100) feet of queuing reservoir space clear of the public right-of-way for each drive-up window.

Specifically required accessory uses:

1. Off-street parking areas for private passenger vehicles of visitors, shoppers, and employees of the principal use, but not for the storage of used or new vehicles for sale or

hire. However, no parking shall be permitted within the minimum yards.

2. Off-street loading areas for the delivery of goods to and from the principal use(s).
3. Trash receptacles, dumpsters, and/or compactors, completely and attractively screened.

#### 108 - 110.2 Mandatory Design Requirements

- A. The site plan must demonstrate compliance with Section 108 - 110, the "Purpose" of this Article.
- B. Minimum Lot Area: Forty thousand (40,000) square feet
- C. Minimum Lot Width (Frontage): Two hundred (200) feet
- D. Maximum Building Area

Unless otherwise specified: Seventeen (17) per cent

The maximum building area must conform to the following:

1. No building shall have a square footage greater than four thousand (4,000) square feet unless the lot size is greater than ninety-four thousand one hundred eighteen (94,118) square feet, which lot size would yield four (4) four thousand (4,000) square foot buildings, or unless the lot size is less than ninety-four thousand one hundred eighteen (94,118) square feet, in which case the allowed coverage of one (1) building may be increased by up to twenty-five (25) per cent, or one thousand (1,000) square feet, to a total of five thousand (5,000) square feet, if an additional allowed building [four thousand (4,000) square feet] is forfeited, and such forfeiture is covenanted to run with the land.
2. For lots with areas greater than ninety-four thousand one hundred eighteen (94,118) square feet, the additional building square footage shall be applied equally to each of the four (4) buildings, unless a different proportion is required during site plan review.

#### E. Minimum Yards

1. Front (Street frontage shall determine front yard; corner lots shall be deemed to have two (2) front yards.) For lots up to two hundred (200) feet in depth, fifty (50) feet from the property line at all points, with no encroachment of development at either perimeter which exceeds fifty (50) per cent of the required side yard. Said encroachment, where included, must occur adjacent to the project struc-



ture(s) and not on, nor in closer proximity to, the affected property line(s), so as to maintain a landscape buffer between lots.

For lots of up to two hundred (200) feet in depth, a minimum of thirty (30) feet of the required front yard must remain unoccupied; for every fifty (50) feet in depth in excess of two hundred (200) feet in depth, the minimum front yard depth must increase by ten (10) feet. A minimum of one-half ( $\frac{1}{2}$ ) of each ten (10) foot increase, in addition to the minimum thirty (30) feet, must be unoccupied area.

2. Side: Twenty-five (25) feet
  3. Rear: Twenty-five (25) feet
  4. No building or structure will be permitted in required yards, and no parking will be permitted within fifteen (15) feet of any property line.
- F. Maximum Height: Thirty-five (35) feet
- G. Sites requiring or utilizing multiple buildings must maintain a minimum combined roadway and sidewalk width between buildings of thirty-five (35) feet, or a courtyard/walkway width of fifteen (15) feet in width.

#### 108 - 110.3 Additional Requirements

- A. Pursuant to Article XXVI (Site Plan Review) of this Chapter, a site plan shall be required of all uses.
- B. Screening and buffers must be in accordance with Section 108 - 64.1 of this Chapter.
- C. Off-street parking and loading must conform to Sections 108 - 60 and 108 - 61 of this Chapter. The parking requirement shall be one (1) parking space for each two hundred fifty (250) square feet of building area. Note: This supersedes the existing parking schedule.
- D. Pursuant to Article XXVI, signage shall be reviewed at site plan review. No backlit or interior-lit, lightbox-type signs are permitted in the Business CR District. All signs and lettering are to be coordinated in size, color(s), and style(s), for all business locations, buildings, and storefronts in a project. All signs must conform to Section 108 - 56 of this Chapter. In addition, temporary signs, as addressed in Section 108 - 56 -C(2), shall be further limited as follows:
  1. not appearing more than four (4) times in any given calendar year;
  2. the area of the window shall be the largest

uninterrupted expanse of glass. Such interruptions shall include, but not be limited to, mullions, minions, and structural or applied support columns;

3. temporary signs shall not employ the use of fluorescent colors in any material or medium.
- E. Pursuant to Article XXVI, Section 108 - 129(B), any activity or use involving grading, clearing, cutting and filling, excavating, or tree removal, prior to obtaining site plan approval under the provisions therefor, shall be in violation of these Articles and fined accordingly.
- F. Pursuant to Article XXVI, Sections 108 - 129 and 108 - 131(H), site plans for the development of properties located in a Business CR District must include an indication of existing woodlands, stand of or individual trees, other instances of unique, indigenous, and/or significant vegetation, or other natural features, so as to ensure their preservation, and thereby retain an open space environment which enhances the indigenous rural character of the Town. In addition, the following provisions shall be applicable in the Business CR District:
1. Landscaped front yard of a minimum of thirty (30) feet, measured from the property line, using existing trees and shrubs, and imported trees and shrubs as necessary, particularly those species that are indigenous in character to the site and environs. A minimum of one (1) specie of tree employed must be one which will obtain a mature height of not less than the height of the structure(s).  
  
Plantings should be so designed as to include at least two (2) varieties of trees and/or shrubs which will exhibit color during the spring, summer, and fall seasons. Evergreens should be included to provide said color in winter.
  2. Unless specifically waived by the Town Board, perimeter screen plantings along line(s) of property which do not front major roadway(s). Said plantings shall be at least ten (10) feet in total width, which will attain and which shall be maintained to a height of not less than eight (8) feet to provide an effective natural screen.
  3. Pursuant to Section 108 - 64.1 - D, where parking areas of ten thousand (10,000) square feet or greater are involved, trees and shrubbery shall be required to visually divide the asphalt areas and to screen them from the developed section(s) of the site, neighboring residential areas, and proximate roadways. Said divisions and plantings must

adhere to Section 108 - 64.1, as well as to Subsection E(1) herein.

4. All portions of the site not used for buildings, parking areas, and accessways shall be left in its natural state or otherwise suitably landscaped.
5. All landscaped areas shall be provided with a system of irrigation appropriate to and capable of complete coverage of the areas and designed to minimize run-off and other wasting of water. Such system shall be maintained in a fully operational condition.
6. Any ground cover shall be planted in such a way as to result in coverage of the area within one (1) year.

G. Existing Structures

The Town Board, pursuant to the terms of this Article, Section 108 - 3, and the standards set forth in 108 - 76(B), may issue a special permit for the reconstruction, renovation, or occupancy of existing structures situate in the Business CR Zoning Use District. In granting such special permit for reconstruction, renovation, or occupancy of an existing structure, the Town Board may, upon proper findings of fact, include in the special permit variances to the Zoning Use District and Parking Schedules.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#526 AWARDS BID FOR REALIGNMENT OF SCHULTZ ROAD

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Boschetti.

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for realignment of Schultz Road; and

WHEREAS, all bids were received, opened and read aloud pursuant to said Notice to Bidders; and

WHEREAS, a total of seven (7) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the realignment of Schultz Road be and is hereby awarded to Laser Industries, Inc. in the amount of \$170,960.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Laser Industries, Inc. and the Riverhead Highway Department.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

7/27/87

RESOLUTIONS Continued:

The resolution was thereupon declared duly adopted.

#527 APPOINTS SUMMER INTERN

Councilman Lombardi offered the following resolution, which was seconded by Councilman Prusinowski.

WHEREAS, it is beneficial to the Town to hire summer interns to complete necessary projects of the Town,

NOW, THEREFORE, BE IT RESOLVED, that ROBERTA KOWALSKI be and is hereby appointed as summer intern to serve at the pleasure of the Town Assessor's Office during the period of July 13, 1987 through August 28, 1987, at the hourly rate of \$6.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Accounting Department and ROBERTA KOWALSKI.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#528 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: REPEAL OF CHAPTER 108-110 (BUSINESS CR ZONE) OF THE RIVERHEAD TOWN CODE

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, the Town Clerk be and is hereby authorized to publish and post the Public Notice with regard to the repeal of Section 108-110 of the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of August, 1987 at 7:45 p.m. o'clock at a Town Board Meeting of the Riverhead Town Board at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons with regard to the repeal of Chapter 108-110 of the Riverhead Town Code in its entirety which states the requirements for building use within the "Business CR" zone in the Town of Riverhead.

Please note that posted herewith is a notice of public hearing covering the proposed amendments to replace the requirements being repealed.

BY ORDER OF THE RIVERHEAD TOWN BOARD

Irene J. Pendzick, Town Clerk

Dated: July 27, 1987  
Riverhead, N.Y.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

7/27/87

RESOLUTIONS Continued:

#529 ADVANCES SALARY OF LYNN WANAT

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, Lynn Wanat has been employed for over one (1) year; and

WHEREAS, it is customary to advance the salary of an employee who has been employed for that period of time.

NOW, THEREFORE, BE IT

RESOLVED, that the salary of Lynn Wanat be and is hereby advanced from Group 8 to Group 8 Step 9 at the sum of \$19,892.26 effective July 27, 1987; and be it further

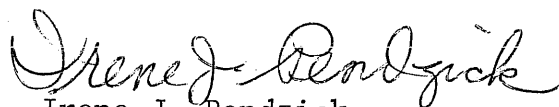
RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Lynn Wanat and the Accounting Department.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 4:31 P.M.

IJP:bg

  
Irene J. Pendzick  
Town Clerk