

Minutes of a Town of Riverhead Board meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, October 1, 2013 at 2:00 p.m.

PRESENT:

Sean M. Walter	Supervisor
Daniel Palacios	Supervisor of the Day
John Dunleavy	Councilman
James Wooten	Councilman
George Gabrielsen	Councilman
Jodi Giglio	Councilwoman

ALSO PRESENT:

Diane M. Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was opened at 2:00 p.m. by Supervisor of the Day Daniel Palacios leading the Pledge of Allegiance. Invocation was given by Pastor Rick Saladon of the Living Water Full Gospel Church in Riverhead.

Councilman Wooten introduced Verna Campbell who sang, along with the Council and audience, Happy Birthday to Supervisor Walter. She also sang another song to the Supervisor and audience. Supervisor told Verna that was the best present he has received in a long time and that she sings like an angel.

Councilman Dunleavy made a motion, which was seconded by Councilman Gabrielsen, to approve the minutes from the September 17, 2013 Town Board meeting. Motion carried, minutes were approved.

Supervisor Walter introduced the guest of the day, Daniel Palacios who is in the fifth grade at Pulaski Street School. To win the position of "Supervisor of the Day" Daniel had to read books and write an essay after which his name was entered into a raffle which he won.

CORRESPONDENCE

- Krzyszof Kanas – letter requesting the Town fix the grading/drainage in the roadway in front of their driveway
- Jack Orben – letter expressing his views on the proposed "Rental Dwelling Units" (Public Hearing of September 17, 2013)

CAC CORRESPONDENCE

- CAC Res. #2013-34 – Haberman/Lynn-SCTM #6000-113-2-62
- CAC Res. #2013-39 – John Gallagher – SCTM #0600-87-1-39
- CAC Res. #2-13-38 – Peter Gale – SCTM #0600-8-1-11

John and Kiersten Kenny – Letter Requesting Appeal of CAC Decision, CAC resolution #2013-29

REPORTS

- Sewer District – Discharge Monitoring Report August 2013

FIRE DISTRICTS BUDGETS

- Jamesport Fire District 2014 proposed Budget Public Hearing
- Manorville Fire District 2014 Proposed Budget Public Hearing
- Riverhead Fire District 2014 Proposed Budget Public Hearing
- Wading River Fire District 2014 Proposed Budget Public Hearing
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TOWN BUDGET

- 2014 Tentative Town Budget Delivered to the Town Board by the Town Clerk

APPLICATIONS

(Pending Town Board Approval)

- Riverhead Adventures LLC-5K Trail Run/Obstacles on EPCA: Property – June 1, 2014 and September 14, 2014
- Abate of NY Long Island Chapter – Annual Motorcycle Run- Riverhead to Hampton Bays – November 3, 2013
- Riverhead Council of Churches – “Crop Walk” through Town of Riverhead – October 20, 2013

Councilwoman Giglio presented a Proclamation from the Office of the Supervisor of the Town of Riverhead and the Town Board to Daniel Palacios in acknowledgement of his participation and completion of the 2013 Summer Reading Program at the Riverhead Library and for his service to the Town of Riverhead as Supervisor of the Day.

COMMITTEE REPORTS

Councilman Wooten reminded everyone of the Riverhead Town Country Fair on October 13, 2013. This is the thirty-eighth year for the Fair which is held along the Peconic River Front Parking Lot.

Councilwoman Giglio mentioned the B.O.A. and the survey that is on line. The Town wants input on how to revitalize the area from the Tanger Outlets all the way through downtown to the east end of downtown and urged the residents to take the survey.

PUBLIC HEARINGS

Acting Supervisor Daniel: “Are there any other Committee reports? We’re going to call Public Hearings. The first hearing was supposed to start at 2:10 p.m. and it’s now 2:15 p.m. so I will open up the first Public Hearing.”

Supervisor Walter: “This is a Consideration of a Proposed Local Law to Amend Chapter 108 of the Riverhead Town Code Entitled “Zoning” (Parking Schedule – 108 Attachment 1:2). This is our parking schedule. Rick, do you want to say a word or two about this?”

Rick Hanley: “This amendment is an addendum to the public hearing coming up next in regard to transitional areas. When we were writing that we noticed that the parking schedules are somewhat archaic it came out of the 1973 master plan which is now forty years old. The thought is to change the required parking for office buildings to reduce the parking required which is presently one stall per one hundred and fifty square feet of floor area and the proposal is to make that one per two hundred. The second change is for retail stores and shops. Presently the requirement is one per two hundred square feet of floor area and the proposal is one per two hundred and fifty square feet.”

Supervisor Walter: “Ok great; thank you Rick.”

Bob Kozakiewicz: “If I can add to that? I think that from (inaudible) standpoint we noticed that from town wide, as Rick pointed out because our parking schedule is so anecdotal, the parking that we’ve required for both retail and office space is a great deal more than what is generally and usually necessary in order to achieve parking.

Also I think that when we were doing the update for the Wading River study our consultant brought attention to the fact that our parking schedule was in need of some pumping up or in this case some reduction so that there would be less parking per square foot and that was also brought to our attention as a result of that so I just wanted to add those comments.”

Supervisor Walter: “Ok, thank you. Does anyone else wish to be heard on this matter? Not seeing anybody we’ll close the public comment portion and leave it open for written comment until October 11, 2013 at 4:30 p.m. in the Riverhead Town Clerk’s office.”

Public Hearing Closed at: 2:17 p.m.

Left open for written comment until October 11, 2013 at 4:30 p.m.

Acting Supervisor Daniel: “We’re going to start our second Hearing at 2:15 p.m.”

Supervisor Walter: “It is now 2:17 so we’re going to open up the second hearing which is the Consideration of a Proposed Local Law to Amend Chapter 108 of the Riverhead Town Code entitled “Zoning” and the Zoning Use Districts and this has to do with several Zoning Use Districts and this has to do with transition zones.”

Acting Supervisor Daniel: “Mr. Murphree?”

Jefferson Murphree: “Yes my first question procedurally is, are we doing all the hearings together for all the different use districts?”

Supervisor Walter: “Yes, we opened up, yes its one public hearing for all the zones”

Jefferson Murphree: “Perfect. Good afternoon, I’m a Supervisor, member of the Town Board, Jefferson Murphree for the record.

We’re here today to consider a proposed law that would be a transition buffer law that would help preserve large scale commercial development from an adjacent residential zones and residential uses.

This came to light as a result of number of commercial developments we see along the Route 58 corridor; mainly the Stop & Shop, Saber Land Development and Costco Development are some of the more notable ones. We’ve had issues in regard to noise, dust, clouds of white and as the Supervisor mentioned at a prior hearing we couldn’t have saved at least one tree. That was a question, I remember that. If you read Dr. Seuss, there’s Lorax. We need a Lorax. The Supervisor should read that story; it’s a very good story. I read it to my son numerous times.

With the proposed law a lot of these issues could have been abated. Fifty foot transition buffer yard would require that fifty feet of non-disturbance be required for use site plan development next to residential zones and residential uses.

For a smaller development, and we’ve heard this concern raised on a prior occasion, that fifty feet would be too much for small lots and the proposed law says that if you proposed buildings less than five thousand square feet your buffer requirement would only be twenty-five feet.

Staff did an analysis to find out how many of these small lots actually exist in the town that would be subjected to the law. The map that you see before you, you see all the squiggly lines on it, those are the lines between residential zones and uses and commercial development. So those are your lines of demarcation between where a commercial development and industrial development can go and next to residential development that would be subjected to this law.

We did a lot by lot analysis to find out how many lots would be subjected to this law. There are lot sizes that are less than three acres in size. There are five in the whole town that would be subjected to this. One is constrained by wetlands and if anybody would like to see these maps I have actually lot by lot aerials that I cannot show you on a board this small. One is constrained by wetlands and therefore is more restricted than the law before you.

One lot, I’ve been working with a well-known local architect who used to be an employee of this town so I won’t name him by name, he actually could get it to work. With a twenty-five foot buffer he still though needs buffer from the front yard so he would still need a variance. So that leaves three remaining.

One lot is proposed right next to RA40 Zoning District which is kind of ironic because the rear yard setback for those ten thousand square foot lots is sixty feet. The rear yard setback in the business center zoning district is only twenty-five feet. You could actually build up a two story building twenty-five feet from the people’s back yard. If they want to build a building bigger than five hundred square feet it would be fifty feet; if he builds the building less than five thousand square feet it would be only twenty-five feet. That does not preclude the builder from building multiple five thousand square foot buildings. So if he gets more than five thousand square foot development on the property he just has to do it on a smaller more residential scale development.

Below the map of the town, if you look at the photographs, that is Arbor Street. Arbor Street is behind BJ's and K-Mart. This is the K-Mart building right here where John is standing and if you see it, these are the existing trees that they left. These photos are taken from Oliver Street. That is fifty feet, they left that undisturbed. On the development side you can see this line right here, that is a six foot stockade fence, the height of the Walmart building is right here. So you can see how effective a fifty foot buffer is in that area."

Supervisor Walter: "And how many, that is fifty feet? Ok and that was on the original site plan?"

Jefferson Murphree: "Staff looked at coming up with an alternative law other than what you see before your trying to address a small lot consideration but after looking at other lots in other towns and then seeing there were only really three lots that would be subjected to this law, to spend the additional time and effort would really not result in substantial benefit in terms of coming up with anything much more better than what you see before you today. So I would be happy to answer any questions you may have."

Supervisor Walter: I don't think I have any so let's open it up to the public."

Councilman Dunleavy: "I just have one question Jeff, and I'm thinking about what Councilwoman Giglio was talking about. What about a percentage of the size lots, the smaller lots instead of having twenty-five or fifty how about a percentage of their lot size?"

Jefferson Murphree: "That would affect maybe three of the lots in the town that would be subjected to this law and if you build the buildings five thousand square feet or less then you would only have to build twenty-five foot buffer or leave a twenty-five foot buffer next to the residential zone. So to try to come up with a caudation of that, we're talking, if we actually did a caudation law, somewhere between twenty-five and thirty feet or something like that you're looking at; we're not yielding a lot of benefit coming up with a more complex law."

Supervisor Walter: "Anybody else from the Board? Ok, anybody from the public wish to speak on this matter? Yes, Mr. Cuddy."

Charles Cuddy: "Charles Cuddy. I think the law is admirable in its intent but I think its overkill. What I don't understand is that you're trying now to do something that should have been done earlier but it's not going to affect the offender so far. The people that you just named are already in development so it's not going to stop them at all."

Supervisor Walter: "Actually it does correct the Costco problem."

Charles Cuddy: "It may but it may not."

Supervisor Walter: "I don't have an approval or anything."

Charles Cuddy: "What I'm saying to you is the intent of this law I think comes from things that have already occurred. I think when you really take a look at fifty feet, fifty feet is an

extraordinary amount basically the size of this line right here all the way to the end of the room. You're talking about some lots that are very small and Mr. Murphree has said there's only a few lots but if you have a lot that's a hundred and fifty feet and you take off fifty feet and now you're supposed to landscape all of the area around; you're supposed to landscape even in the parking area, you really get down to some very, very small use of your lot and people have relied on that. The zoning has been in effect for years and people who held these lots relied upon that zone and you're going to change it and the change you're going to make is a dramatic change; fifty feet is not casual.

I would say to you if you have to do this and you really think it's necessary even after the horses have left the barns so to speak, then try twenty-five feet or try as Mr. Dunleavy has just said to do a percentage but not to do fifty feet. Fifty feet is something that's going to hurt a number of people and I don't think it's going to help those residents that you're talking about. I think if you had a twenty-five foot buffer, serious buffer, landscaped, tall trees you're going to do just as well as fifty feet and fifty feet is just too much. And I really ask you to take a second look at this. Thank you."

Supervisor Walter: "Thank you."

Sid Bail: "Good afternoon. My name is Sid Bail President of the Wading River Civic Association and I'm here to speak about the amended local law Chapter 108 Zoning in all five districts that were outlined.

We support these changes, we feel it would further the town's effort to maintain the scenic rural quality which is so valuable for the Town now and for the future.

We provide guidance for the Planning Board in cases regarding buildings or buildings adjoining residential districts and use and at the same time it provides the Planning Board with some reasonable options/flexibility to assure orderly, compatible relationships along certain boundary lines.

I urge you to adopt these changes. Thank you."

Supervisor Walter: "Thank you. Yes? Good afternoon Mr. DeLuca."

Bob DeLuca: "Good afternoon Supervisor, members of the Town Board and smaller member of the Town Board. You guys keep getting younger every time I show up here.

My name is Bob DeLuca and I serve as President for a group of the East End and today I'm here to ask for your support in passing these proposed transitions, buffer amendments for each of the zones that have been proposed before you.

Basically just in brief, I think it's been articulated before, in the many years I have been doing this I can tell you that among community concerns the aesthetic of an area, the visual blight that comes after development and the loss of community character that accrues over time from excessive development of lots and excessive clearing of lots is probably one of the principle concerns that we hear on a daily basis and it effects large projects in particular but really no project is exempt from this and think what these amendments provide you with is frankly something what other towns have been doing for many, many years and this is not something which is all that different from the town of Southampton or your neighbors in Southold or other places who realize that the protection of the character of this town, this region is vital to its economy as well as any individual piece of property.

So, I think when you take a look at the overall issue here bottom line is when you have these types of buffers and clearing restrictions in place, the community has some sense of certainty as to what basically they can expect when a project comes in, the developers has some certainty in terms of what can be expected from them and essentially you've struck a balance to try to do the best that you can with what's left of the character in your commercial areas particularly on these large sites where a fifty foot buffer is absolutely necessary on many of these sites. If you look at something like a Costco or something like that, you can't really screen that with a couple of shrubs or a couple of street trees; you need a lot so I think a reasonable buffer is proposed on these larger zoning categories and I would ask that you pass them and think about the fact of how important it looks five or ten years down the line if you start this now.

Riverhead is obviously developed and becoming more developed and any effort that you can make to restore the character and protect the character of this community I think is well worth doing and serves the best interest of the community. Thank you."

Supervisor Walter: "Mr. DeLuca, just quickly, I know Southampton has the fifty foot transition buffers do you know for certain that Southold has them?"

Bob DeLuca: "They do, they're a little; the exact footage I don't have. They have these types of buffers on their commercial properties and I could certainly find out, the language is not exactly the same."

Supervisor Walter: "That would be interesting. Mr. Murphree if we could just; could we get an analysis of the surrounding towns. I know you have Southampton because you probably wrote that one but could we get the other codes just to get an idea of what they say as well? I think that would be interesting just to add it into the record."

Jefferson Murphree: "Absolutely."

Supervisor Walter: "Thank you sir. Yes?"

Walter Binger: "Good afternoon. My name is Walter Binger. I own property in Aquebogue which is commercial. The Supervisor sort of got me involved because on the televised Town Board meeting a couple of weeks ago he mentioned that the Hamlet Center Zoning should also be looked into for this; that's why I'm here.

I just want to say something about the line that went out forming and that line is the demarcation between commercial and non-commercial properties or residential. That line was forced by the adoption of the destination retail businesses because what they did is, they decided that adjacent land to the Main Road would become commercial for the whole lot. That's what created these huge forty-two acre commercial lots.

I bought a piece of property that called for five hundred feet of commercial property, no zoning. Every zone in the Town of Riverhead stopped at five hundred feet from the main road; from 58 from the Main Road, anywhere. There are houses within this new envelope that were built within what was then commercial zoning. These people really don't have a right to say I want my backyard to be fifty feet from a building. This Town Code calls for fifteen percent in the destination retail zone to be left open and undisturbed. That wasn't done. If that problem has

created a problem are we now having to look into every zone in this town, I don't know who the hell was looking at that time because they weren't looking. Ok?

Now, those people do have though a right to have privacy. They were a thousand feet, like a half a mile from the main road. They were nowhere near the five hundred foot buffer that the Town Board then in existence created. It was their idea this destination retail, it wasn't the people, the people didn't ask for this so this destination retail zone created this problem now and it's now coming to haunt people who had property for thirty, and forty years.

I've been in this town and I've owned my property since 1982. I would feel like who the hell is my neighbor to tell me that I need a fifty foot buffer. It takes away a substantial amount of my property; twenty, thirty percent before I could even consider building the builds which I've already taken.

There have been ten or fifteen code changes in this town since I came here for commercial zoning. There were originally five zones. We had A, B, C, D, and E. All if a sudden we have twenty. There's twenty zones listed in here for commercial and everyone is different but we're not spot zoning; but this guy has this, this guy can't have that, this guy on his block the neighbor complains so we'll give him more buffer, the neighbor doesn't complain so we'll do this. We have horse farms in the middle of industrial areas. We had some commercial properties knocked down because the horses couldn't have babies because they would be making noise next to them. It shouldn't be in the industrial zone. We're zoning according to the neighbors, we're not zoning according to the right. I have rights; other commercial property owners have rights especially if they existed prior to the change that threw this five hundred feet into the wastepaper basket.

If you have a house within the five hundred feet you have no right to say you can't build commercial next door to that. You're in commercial but because of this new interpretation by the Planning Board, the Town Board and everything else, this line now has moved back to one hundred fifty feet from the main road.

So, those people within commercial, any properties within those five hundred feet should be totally disallowed from this. You can't consider that the line of demarcation if they're within five hundred feet; which those houses all behind Rt. 58 are. You have properties adjacent to that property which.

There was a car wash. The people behind the car wash knew that's commercial behind them. The next door neighbor doesn't have to provide a buffer. Why should they have to provide a buffer because they live behind a commercial? They are existing lots, they existed before any of those town zoning changes. Mine is one of them, Mr. Groeber has one of them, I think Sarge has one of them. If you take those lots; we're already retained at five hundred feet and now you're going to take away more?

Now we have in this town, we've got a whole new set of zoning. Like I said twenty new codes and I've got in front of me all the new buffer zones. Now Mr. Murphree, and I don't know Mr. Murphree's expertise I didn't get that. Is he a lawyer, is a zoning expert? How is he involved with the town? Ok, I assumed we hired him?"

Supervisor Walter: "He's the Town Planning and Building Director."

Walter Binger: "Planning and Building Director. Oh, this is the new man that came from Brookhaven? I'm sorry. I didn't know that."

We have setbacks that we've determined to forty years of zoning prior to today. Those set backs were seventy-five feet, fifty feet, sixty feet, they're in there. They're already down there, right?

Now in the case of the destination retail if you put a fifty foot buffer that's a gift for that man because I believe it says fifteen percent which would be six acres of landscaping he would have to provide, that he didn't provide. That's already in the code. Because we didn't do something is not a reason to write a new code to change the code that's already in place. To change the code for people who've owned these properties for thirty or forty years. I'm not looking to do anything I wasn't entitled to do. I've done nothing in this town that I was not entitled to do. I'm not asking for anything but what I am entitled to do I want to remain in my, what I paid for, what I pay my taxes for and what I paid for my property.

To finish up, there was a thought tonight because I'm getting to the point where I have to slow myself down which is why I didn't come to these meeting for fifteen years.

I used to get worked up because I own rental property, I own business property, I own farm property, I own residential property. My property had it all, that's why I bought it in 1982. I paid I think about, I'd say about six times what I could have bought the piece of property off the Main Road for in Riverhead because it had commercial property; because I was allowed to do certain things.

Now there have been restrictions placed on the property. It was country rural zoning. Country rural zoning was added. Those areas, country rural zoning were added. Hamlet Center, I don't even know what's in Hamlet Center. I don't know what I'm allowed in Hamlet Center anymore. What became of Hamlet Center? I started off with Business C Property, they made it Business CR, restricted my property by half. They took the CR and changed it, restricted the property again by half which would make a quarter of my original zoning property. They also have taken since then and changed the setbacks. I think I have about a sixth of the property value that I can use now for commercial as I did when I bought it.

I've already given, I've given too much. I don't want to give more and the fifty foot buffer. I think I started to say, and I doubt I finished my thought, would be a boon to the destination retail because they would have to provide, and I think I did say this, six acres. They would love to have fifty foot but if you only have one hundred and fifty foot of property or two hundred or three hundred foot or four hundred foot of property, that's a big nut and somebody has to figure out why you can put a building at twenty-five feet on one of these codes, it's in here, but you want a fifty foot buffer. You could put a building at fifty foot from these lines but you want a fifty foot buffer. It makes absolutely no sense. Throw it out, go back, spend ten years doing it because they spent ten years on the CR and they threw it out.

Sid Bail was just up here before me. King Kullen, the Supervisor lives in Wading River. King Kullen was built under CR zoning. That building was not allowed under CR zoning but the people in Wading River wanted their own grocery store so they Ok'd it. That's one huge building at the time CR zoning allowed four buildings, maximum four thousand square feet similar to what Mr. Murphree is proposing. Ok? None of those buildings were built under those guidelines. The Town let everybody go helter skelter and do whatever the hell they wanted. Now they're complaining; the people next door to King Kullen can't sell now because you're going to change the zone or they're going to throw it out and take out the commercial district.

Commercial districts were established in certain parts of town, mine was one of them in the hamlet. Ok? There was no zoning where the bowling alley is. That was residential. It existed as a car dealership on the preexisting nonconforming use. It became a bowling alley.

They had less zoning than I do, right? You're talking about a light, laser lights and blinking things, that's a residential district.

Now when the Town like yourselves who's going to correct, five minutes are up, I understand. When the Town was going to correct these little problems, you know push a little bit here, push a little bit there the only zoning district in Aquebogue went from the end of farm stand which is Well's Farm Stand to the old Post Office which is Church Lane. That was the only commercial district in Aquebogue. Somewhere along the line somebody tweaked the CR Zoning and took that and made the whole corridor all the way down the main road business. So you multiplied the business. You screwed me, you screwed the small business owners like me who bought commercial property in Aquebogue, but you gave it to the guy who owned the bowling alley, ok, who owns the bowling alley. He didn't have commercial district and it's not on Rt. 58 and when you allowed that building everybody said well it's an extension of Rt. 58. Rt. 58 commercial zoning stops at Northville Turnpike. East of Northville Turnpike is Walter Service, right?

Now we've got to uphold the laws we already have in the books not create new ones. Not create more debt, not create more jobs, ok? Cablevision, that's supposed to be an office service zone, they've got all those trucks back there. I remember when they asked for that building they said there wouldn't be any trucks back there. Cablevision moved all their offices up to Connecticut and all we've got are trucks back there. If you go back there to the hearings you've got to find out that they said, *oh no there will be no trucks parked behind our building, it's an office building*. Ok, that's an office service zone. The only reason that McDonalds is down there is because they were there before the zoning change. I'm sorry, I'm taking up too much time and I apologize."

Supervisor Walter: "Alright, does anybody else wish to be heard today. Yes, step up please."

Antoinette Barena Carbone: "Hi, I didn't come here to speak on the topic this gentleman addressed but I came originally from the Town of Brookhaven."

Diane Wilhelm: "Can you state your name for the record?"

Antoinette Barena Carbone: "Antoinette Barena Carbone. I came originally from the town of Brookhaven. I have been a resident there for over thirty-five years before moving to Riverhead and I can tell you I went through their growing pains, became very active, civic activist in that town. Look at how they had to address the same issues that are before you today as you experience your own growing pains. Include them in your search for setbacks. I'm here to talk about the Building Department."

Supervisor Walter: "The Public Hearing is just on this zoning."

Antoinette Barena Carbone: "And it's on nothing else?"

Supervisor Walter: "Nothing else but the zoning. You can speak after the Resolutions and everything on the Building Department."

Antoinette Barendra Carbone: “I was told to come at this time so I thought this was the time but I understand you time is expanded. Ok, I will.”

Supervisor Walter: “Ok, thank you. Does anyone else wish to be heard on this Public Hearing? Mr. Groeber.”

August Groeber: “Yes, my name is August Groeber and I live in Aquebogue. I apologize if I run a little long but the old saying, *and then they came to you*, and they came for you.

I’m one of the three people who own that lot, ok? I wasn’t born with a silver spoon. My childhood was in welfare when welfare was real welfare. I worked real hard. I’m married to the same woman for forty-three years. I sent my kids to this school. I sat in that chair that you’re sitting in right there because I donated ten years of my life to this town on the IDA, Ok? And I believe in rights. You notice most of the time I’d be wearing a red, white and blue shirt because this is the greatest country in the world when you can go from welfare, work yourself up and buy a piece of land. But this piece of land is in the town of Riverhead and I have neighbors. I’m sorry I don’t mean to offend anybody but I’m a little upset because this is my life savings you’re dealing with.

My land is only one hundred and thirty feet deep in most of the section. Now if you take fifty feet off the front and fifty feet off the back you leave me thirty feet.”

Supervisor Walter: “Can you talk to us, not the audience.”

August Groeber: “Evidently if there’s only three lots I can see the problem. I stood here about twenty years ago when they wanted to build eighty houses across the street from me. David Saland proposed eighty houses on eighty acres and my neighbors said we have to get together and go to the town, we don’t want to look at eighty homes and I said I would come down and I did and I said I’d rather look at this farm field. I love that farm field, we should buy it because I will defend with my last breath this man’s right to build. It’s zoned residential, it’s zoned one acre and he’s putting one house on an acre. Do you know what happened to him? He got pushed around for years and he went bankrupt.

Now there’s homes across the street from me. I love it because again I’m an American, Ok? Those homes, they built the road right into my house. If you go down to Grant Boulevard my house is the one that all the lights shine on. Every night I sit there and see the lights go in my house and I didn’t complain because that’s their right.

I have a soccer team two doors down from me. I live in the woods. It was very quiet for thirty-five years when I lived there and they built a soccer team. Now on my Sundays I hear people yelling, screaming, whistling and having a good time. Did I complain? I’m glad to hear the sound of people having fun. I don’t need my silence.

I live by Helen’s Farm Stand; she lives right behind me the farm stand. You know what I get on Sunday; boom, boom, boom. She has five cannons that go off, did I complain? No because that’s her lot. I have a lot right next door to me, its woods. Do you know why I bought that; because I want it to be mine. I don’t want to look in my neighbor. So I bought the lot next door ok?

The problem I have with the people in today’s society, it’s not just us, its America in general where kids can break into somebody’s house, destroy their house. Does anybody have

the right; and then sue the owner of the house. They're suing the owner of the house. Where are we coming, who's on who?

This just strikes me as so bizarre because what this really boils down to is you're stealing my land and you're giving it to my neighbors. That's what you're doing and my neighbors are wonderful people, I don't mean them any harm but they bought next to commercial but they don't want to live next to commercial. They want it to be a dog park and as one of my neighbors said "as long as I live here nothing will be built on that land". Well I guess he's right because there's only three of us and I don't know if any of them are here.

Now you talk about Costco. Costco is the reason we should be here. That's the problem. They have forty-three acres. Those people who bought a mile off the highway have every right. Those people got shafted. They live a mile off the highway and they're looking at the street ok? That's why we should be here. They have forty-three acres. I don't even have two acres ok? And what you did is you aimed at Costco and you're shooting me. I dedicated my whole life to this town. I was the president of the Lions Club. I was the vice-chair of the IDA but you know what? This is what I get in return.

I'm sorry if I sound like I'm reprimanding but this is what we have and it's not only Riverhead, it's everywhere. So I mean, please don't take my land and my neighbors when they bought that lot knew that it was ten foot. So let's make it double. Let's raise it a hundred percent and make it twenty, no let's make it three hundred percent, make it thirty. No make it four times as much. No let's make it five times as much. Will you go from ten to fifty? I just don't get it.

Again, I'm sorry and each one has to be weighted on their own merit. I look at Martin Drugs. Martin Drugs has five feet to the neighbors fence, just enough to get a door open. Do you really need a sound wall there? Maybe a guy goes out there and smokes a cigarette once in a while, I don't know but there's no trucks being town there so when you say, you just blanket, let's put a sound wall I don't think Martin Drugs needs a sound wall. Nobodies back there.

Again, I appreciate your time and I think the Town Board is doing a great job. I'd just them to realize that this is America and yes I'm only three but right is right and wrong is wrong and numbers don't make wrong right and right wrong. Thank you."

Supervisor Walter: "Thank you."

Dominique Mendez: "Hello, Dominique Mendez Riverhead Neighborhood Preservation Coalition. I think Jeff Murphree said before that a ten foot buffer is archaic and we agree. I don't think this Board is attempting to take any land. They're just trying to get up to normal standards and create a situation where we do have more reasonable buffers. It preserves a quality of life, the rural character; it's better for everyone.

The businesses, some of the things they were talking about, what was it, fifteen percent or something, that's still going to exist. So I don't know it's going to pose that much of a hardship or much of a change but it'll make a huge difference to the residences that live by and the truth is that when you buy a piece of property you don't have an inalienable right to that zoning the day you bought it. I mean some people could have bought property along Sound Avenue fifty years ago when it was zoned industrial. It doesn't mean they should have the right to that. You know we all have a stake in how land is used; not just the property owner but the broader community and what this Town Board is proposing doing will help the broader community. Is it later than it should have happened? Yes, much but it's something and it's moving in the right direction now.

So, I'd like to echo some of the sentiment from Sid from the Wading River Civic and Bob DeLuca from the group from the East End; the RNPC also supports this.

I do have, I did notice one thing in it. You talk about transitional yards and screening shall be provided within nonresidential districts in order to assure early compatible relationships along certain boundaries; nonresidential districts so commercial districts, but there is one type of development that is very commercial like and it's multifamily apartments. That isn't your typical single family residence; we had those issues in Wading River when we were talking about that. I really think that the buffer should be from multi-family or high density residential and commercial. If you put apartment complexes they could be multi-stories, tons of density. You should have increased buffer in those situations, single family, of course not. But I urge you to consider expanding it a little in that way for those very dense multi-family type developments.

I also was concerned, the three lots that they talked about. It may only be three lots but I guess if you're a neighbor to those three lots it may make a difference to you. So that you might want to consider some easies, reasonable, quick solution to improve the buffers on those three lots, smaller lots without making it excessively, you know hard on the property owner because if you live there you wouldn't be like so what, I'm one of those three lots, I don't count. If you're a resident who's neighboring that, you know, I think you should benefit from this new legislation also. And, I think that's it. And I urge you again to go forward with this legislation. Thank you for your time, I appreciate it."

Supervisor Walter: "Thank you."

Councilwoman Giglio: "I have a question for Jeff Murphree."

Supervisor Walter: "Do you want to just wait to the end and get all the other residents?"

Councilwoman Giglio: "I think they were done, are they?"

Supervisor Walter: "Does anybody else wish to be heard on this matter?"

Walter Binger: "I'd like a minute more."

Supervisor Walter: "Ok, then we'll end with Jeff."

Walter Binger: "When I used to come up to the Town Board meetings and get worked up like I did today it was about why zoning and it always affected me whatever happened in town.

There was no Riverhead Coalition and I don't know their name. I don't know what they represent and I don't know where they get their funding but the lady was up here saying basically that she doesn't want any commercial anywhere. So we're not going to make her happy ok? And we're not going to make her Society happy no matter what we do and she wants to remain rural. Well it is rural, it was rural and because we live in this town, I do, Augie does we haven't sold. We have our property. We've kept it. We haven't built on it. We haven't bailed out and given it to the developers years ago but we did pay our taxes to retain the right to do that someday.

I don't intend to live here forever. I can't afford to live here forever. I have a sixteen acre parcel in Aquebogue. I will sell it to the lady, she can build her house in the middle of it

and we'll both be happy Ok? I'll come up with a price for her if she'd like to discuss it but you know what; I have that property because I paid for that property. I paid for the taxes and I'm not in the farm development by the way. I'm paying residential taxes on it because I thought it would remain one acre but I became two acres somehow Ok? I mean in all of this town, you can't sit around here. You can't change the zone every two years because somebody else decides they don't like this and they don't like that, we need this, we need that. Someone's going to have to stand firm and tell somebody they have the right to build, ok?

I'd like to say six more words. We are not Southampton, we are not Southold. That's all I want to say."

Supervisor Walter: "Alright, ok, thank you. Anybody else wish to be heard on this? Jeff, if you could come up."

Councilwoman Giglio: "Hi. You also said there are three undersized parcels and I know there were several industrial C properties up and down Raynor Avenue. Were they taken into consideration that they might currently have a residential use that could be converted to a commercial use?"

Jefferson Murphree: "I only took a look at the vacant, undeveloped. I know there is one, bear with me."

Councilwoman Giglio: "That's part of the problem that I had when we discussed this at work session is that there are several properties in the town that have been rezoned to commercial and they are, their current uses are residential so if those properties were ever to be developed are we going to have them establish a buffer, was it going to be an undisturbed buffer. These were things that were brought up at work sessions so I don't know that the study should necessarily reflex properties that are currently vacant. I think that it should reflex properties that are zoned commercial that are currently being utilized as residential that have the potential for commercial development and also I think that we should be addressing these undersized parcels in a percentage basis as I've discussed at work session as far as the lot depth. So I, and also it's interesting to hear from a hearing that the some of the building setbacks are fifty feet and some of the building setbacks are twenty-five feet so in a zone where a twenty-five foot rear yard may be required for a structure are we requiring a fifty foot landscaped area? And if that's the case, then we are taking away twenty-five feet of developable space on those properties."

Jefferson Murphree: "In answer to your first question. At the work session, it was requested and I add the language in here, the original language was *the buffer requirement would only be to residential districts* but there was a request from the Board to add *and uses*. So if there was an existing family house in an industrial zone where it was not subjected to this law before it is now subjected to it and that was the request of the Town Board so that language was added in there at the request of the Board."

Councilwoman Giglio: "I'm just curious based on your frequency analysis that you had done in determining that there were three undersized lots with potential commercial development when there are significantly more under my impression of the properties that are zoned commercial within the town that are currently being used for residential."

Jefferson Murphree: “Well, that was the question that I had and my concerns raised about in adding the use portion of this law that you do have single family homes that are nonconforming uses in an industrial zone. You could have one single family house that has been there for a hundred years now in an industrial district and now that the adjacent property is commercial or industrial who wants to develop their own imposed on the fifty foot buffer requirement because that one single family house even though it’s preexisting, nonconforming so one way to get around that is to just delete the use issue out of the language, out of the law.”

Councilwoman Giglio: “I think that the Board’s intent is to protect residential properties from commercial development and I just want to make sure that the analysis that you’re doing is going to, when I hear there’s three lots that are undersized and can’t necessarily accommodate a fifty foot buffer, I think there are several more in the Industrial C Zoning District that are currently developed. That’s my concern.”

Supervisor Walter: “Ok, is that it? Does anybody else have any questions? Jeff, thank you. I will close the public comment portion and leave it open for written comment until October 11, 2013 at 4:30 p.m. in the Town Clerk’s office.”

**Public Hearing Closed at: 3:00 p.m.
Left open for written comment until October 11, 2013 at 4:30 p.m.**

Supervisor Walter: “Now we’ll have comments on Resolutions. I know that several people from First Baptist Church. Reverend Coverdale, are you folks going to be commenting on Resolutions? Ok. Oh, sorry I should have said does anybody else wish to comment on Resolutions? Not seeing anybody we’ll move to the CDA.”

Councilman Dunleavy: “I make a motion that we close the Town Board meeting and open the CDA meeting, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes.”

Chris Kempner: “The CDA meeting is now open.”

Meeting Adjourned

RESOLUTIONS

Resolution #679

Councilman Gabrielsen: “Recreation Fund Budget Adjustment, so moved.”

Councilwoman Giglio: “And seconded”.

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #680

Councilwoman Giglio: “Approves a Leave of Absence Request, so moved.” (Kim Holt)

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, abstain; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #681

Councilman Dunleavy: “Ratifies the Reappointment of a Temporary Clerk to the Tax Receivers Office, so moved.” (Melissa Messina)

Councilman Wooten: “Seconded.”

Supervisor Walter: “There’s money in the budget till the end of the year, part time. Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #682

Councilman Wooten: “Awards Bid for 2013 Food & Meat Products, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolutions #683

Councilman Gabrielsen: “Authorizes Town Clerk to Publish and Post Notice of Public Hearing to Consider the Adoption of the 2014 Preliminary Annual Budget for the Town of Riverhead so moved.”

Councilwoman Giglio: “And Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen yes; Wooten, yes; Dunleavy, yes, Walter, yes. Resolution adopted.”

Resolution #684

Councilwoman Giglio: “Authorizes Amendment to Engineering Services Agreement Regarding NYS Environmental Facilities Corporation, so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #685

Councilman Dunleavy: “Adopts a Local Law to Amend Chapter 108 Entitled, “Zoning” of the Code of the Town of Riverhead, so moved.”

Councilman Wooten: “And second”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes.” Resolution adopted.”

Supervisor Walter: “Tara can you make a note, I want to send a letter to the members of the Board?”

Resolution #686

Councilman Wooten: “Adopts a Local Law to Amend Chapter 108 Entitled “Zoning” of the Code of the Town of Riverhead (108-37, Article VIII, Accessory Apartments), so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Move and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #687

Councilman Gabrielsen: “Abolishes the Accessory Apartment Review Board, so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten.”

Councilman Wooten: “I tell you it was great legislation when it happened and it never really took off in Riverhead. It’s a shame. Yes.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “I just want to thank all the members. They put in a lot of time and a lot of effort on this Accessory Apartment Review Board and again I don’t think it was worded properly; I don’t think the Code was worded properly that’s why it never really took off in the Town of Riverhead but I have to vote yes.”

Vote Continued: “Walter, yes. Resolution adopted.”

Resolution #688

Councilwoman Giglio: “Adopts a Local Law to Amend Chapter 101 Entitled “Vehicles and Traffic” of the Riverhead Town Code (101-4 One-way Street – Cranberry Street), so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #689

Councilman Dunleavy: “Accepts Performance Security of Kaywood Properties, Ltd. (Subdivision Entitled “Kristi Rose Court”), so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #690

Councilman Wooten: “Approves the Building Department’s Nunc Pro Tunc Renewal/Extension of the Town of Riverhead Fire District Building Permit, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio.”

Councilwoman Giglio: “This wasn’t in the packet on Thursday either, was it?”

Tara McLaughlin: “I sent an e-mail to everyone.”

Supervisor Walter: “The rule in the Town is as long as we get, and the Board agreed to this, as long as everybody gets notification by Friday at 4:30 p.m. it goes in the packet.”

Councilwoman Giglio: “Have they paid building permit fees in the past?”

Tara McLaughlin: “I don’t know.”

Councilwoman Giglio: “They have Bob?”

Bob Kozakiewicz: “I believe they did.”

Councilwoman Giglio: “So we’re waving the fee now?”

Bob Kozakiewicz: “What we’re looking to do is allow them to have an abstention as indicated in the Resolution they sort to amend it prior to the expiration of the building permit. There were inspections done and if the inspections and the permit had been issued in a timely manner after their request, they would have been able to receive the CO and due to some mix up, that wasn’t done. So what we’re looking to do is allow them to extend based upon the

circumstances. And it's another tax (Inaudible) by charging another fee you're only taxing the tax payer (inaudible) so that was another (inaudible) as well."

Councilman Dunleavy: (Inaudible)

Bob Kozakiewicz: "There was a great deal of communication going on towards the end of 2012 to the work that was being done on the fire house. There was a forensic architect brought in to determine what was wrong. They filed the building permit, they had to pay fees, they were looking to do work on the roof."

Councilman Wooten: "That's the existing roof they had to."

Bob Kozakiewicz: "Correct, they had to do work on the roof and there was a fire door that had to be installed. They determined they would hold off the work on the roof instead just complete the work on the fire door and again that's what they're looking for the CO for at this point. They're going to have to come back at a later time to still do work on the roof."

Vote Continued: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted."

Resolution #691

Councilman Gabrielsen: "Authorizes the Supervisor to Execute an Inter-Municipal Agreement with the County of Suffolk for the Dredging of Waterways within the Town of Riverhead, so moved."

Councilwoman Giglio: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "It's a shame that we have to (inaudible) Suffolk County to get our waterways dredged and pay them too, overtime so to get the waterways I have to vote yes for it."

Vote Continued: "Walter, yes." Resolution adopted."

RESOLUTION # 692

Councilwoman Giglio: "Authorizes the Supervisor to Execute an Agreement with ABL, Computing, Inc., so moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: “Giglio.”

Councilwoman Giglio: “I have requested information on this from the Accounting Department which I still don’t have so I will abstain.”

Vote Continued: “Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #693

Councilman Dunleavy: “Authorizes Settlement of Legal Action by Scott Burgess and Erica Burgess Against the Town of Riverhead, so moved.”

Councilman Wooten: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy yes; Walter, yes. Resolution adopted.”

Resolution #694

Councilman Wooten: “Authorizes the Supervisor to Accept a Drainage Easement from the Owner of Real Property Designated as SCTM No. 0600-128-6 (Patrick Richmond), so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #695

Councilman Gabrielsen: “Authorizes the Supervisor to Execute a Real Property Access Agreement with Suffolk County Regarding Stormwater Drainage System Remediation on Real Property Designated as SCTM No. 600-128-2-7.2, so moved.”

Councilwoman Giglio: “And seconded”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #696

Councilwoman Giglio: “Approves Chapter 90 Application of Darkside Productions Inc. (Haunted House Walk –Through October 4, 2013 – November 3, 2013), so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #697

Councilman Dunleavy: “Authorizes the Executioner of an Agreement with the County of Suffolk for Dredging of Meetinghouse Creek, so moved.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #698

Councilman Wooten: “Extends Bid Contract for Annual Heating Ventilating and Air Conditioning maintenance Contract, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #699

Councilman Gabrielsen: Ratifies Approval for Use of Pine Barrens Credits Originated from Property Located in Riverhead and Issuance of Letter to the Suffolk County Department of Health Services, so moved.”

Councilwoman Giglio: “And seconded”.

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #700

Councilwoman Giglio: Authorizes the Release of Site Plan Security of Lowe’s Home Center, so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #701

Councilman Dunleavy: “Approves Chapter 90 Application of Riverhead Adventures, LLC (5K Trail run – Sunday, June 1, 2014 and Sunday, September 14, 2014), so moved.”

Councilman Wooten: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: ‘Giglio, yes.”

Councilman Gabrielsen: “I just want to say, this is out at EPCAL, a great run and they run a great program and they donated \$4,000.00 to the town. Yes.”

Vote Continued: “Wooten, yes; Dunleavy, yes; Walter, yes and maybe we can put that towards lights or something.”

Diane Wilhelm: “Resolution adopted.”

Resolution #702

Councilman Wooten: “Approves the Chapter 90 application of Strong Island Kids (Mountain Bike Race – March 29, 2014), so moved.

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes Resolution adopted.”

Resolutions #703

Councilman Gabrielsen: “Authorizes Notice to Bidders for Installation of Water Mains and Appurtenances – Stoneleigh Woods – Phase 3 Riverhead Water District, so moved.”

Councilwoman Giglio: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #704

Councilwoman Giglio: “Authorizes Town Clerk to Publish and Post Notice for Public Hearing Regarding Community Development Block Grant (“CDBG”), 2014 Funds, so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #705

Councilman Dunleavy: “Authorizes Supervisor to Sign an Amendment to Extend Contract with New York State Affordable Housing Corporation for \$200,000.00 to Support the Town of Riverhead Home Improvement Program, so moved.”

Councilman Wooten: “Seconded”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; “Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #706

Councilman Wooten: Authorizes the Deputy Supervisor to Execute a Stipulation of Settlement in Connection with the Matter Entitled “Boom Development Corp. V. Town of Riverhead, Et. Al,” Index No 04-29192, so moved.”

Councilman Gabrielsen: “And seconded.”

Councilman Dunleavy: “Moved and seconded as to 415 through 418. Vote please.”

The Vote: Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, I abstain, this party was a client. Resolution adopted.”

Resolution #707

Councilman Gabrielsen: “Authorizes the Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled “Zoning” of the Riverhead Town Code (Community Benefit Zoning Use District), so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Move and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #708

Councilwoman Giglio: “Pays the bills, so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

GENERAL COMMENTS

Supervisor Walter: Does anybody wish to address the Town Board? Pastor Coverdale.”

Reverend Coverdale thanked the Board for allowing them (inaudible) Supervisor Walter responded wishing the Pastor good luck.

Patricia Holland commented on the clock stating that she is sitting in the back of the room and she cannot see the clock. She continued by saying the old clock in the room was very visible and this clock is not. Supervisor Walter thanked her for her comments.

Frank Kelly, who lives in Calverton wanted to discuss with the Board the possibility of building a Bocce Court Complex similar to the one that is now in Southampton.

Mr. Kelly stated that the complex he lives in has a Bocce Court as do most senior complexes. He continued by saying the twenty, four man league they formed had to join the Southampton Bocce League playing all their games at a North Haven Complex in Southampton because Riverhead does not have a Bocce Complex. Last year his team came in second, this year first and they are the only team whose players are not residents of Southampton. When given their award for winning the bocce tournament the Supervisor from Southampton jokingly stated she would rather not be giving this to a team that is not from Southampton.

Mr. Kelly continued by saying that Riverhead has baseball and soccer fields, skateboard parks, bike paths, picnic areas and tennis courts as well as a hockey rink but no bocce. He feels bocce is an equal opportunity sport and that a bocce facility could be erected in the EPCAL Sports Park. He also said that in the six years the League has been in existence the Southampton Bocce League has donated over fifty-five hundred dollars to charities in the Southampton Town and feels that Riverhead can do just as well as Southampton if they had a league and a facility in Riverhead.

Councilman Gabrielsen said they will discuss the matter with Ray Coyne and the Recreation Committee and agreed that EPCAL would be a perfect location for such a facility.

Supervisor Walter: “Alright does anybody else wish to be heard this afternoon. Ok, seeing nobody can I have a motion to adjourn the meeting?”

Councilman Dunleavy: “I make a motion we adjourn this Town Board meeting.”

Supervisor Walter: “All in favor?” Collective ayes.

Meeting Adjourned: 3:23 p.m.