

635 ADOPTS AMENDMENTS TO ARTICLE XXVI, CHAPTER 108 OF THE RIVERHEAD TOWN CODE

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider various amendments to Article XXVI, Chapter 108 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 28th day of February, 1989, at 7:45 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board has issued its negative declaration regarding the amendment to the Riverhead Town Code and that this amendment will not have a significant impact upon the environment pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that the amendments to Article XXVI, Chapter 108 of the Riverhead Town Code which were the subject of the public hearing be and are hereby adopted as attached hereto and made a part hereof and marked EXHIBIT "A"; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution and the amendments upon which it is based once in the Riverhead News-Review and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Riverhead Planning Department and the Town Attorney's Office.

Dated: Riverhead, New York
September 19, 1989.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

*overstrike represents deletion(s)
**underscore represents addition(s)

108 - 129 E. Expiration

~~Site plan approval shall remain in effect for as long as a building permit, or any authorized renewal thereof, is in effect. In the event that the building permit shall expire without a certificate of occupancy having been issued, or in the event that a valid building permit is not obtained within one year, the Town Board may elect to revoke the site plan. In either case, thirty (30) days prior to expiration, application may be made to the Town Board for one (1) additional one (1) year extension of the site plan approval.~~

Site plan approval shall remain in effect for thirty-six (36) months. In the event that the applicant has not obtained a valid building permit within said thirty-six (36) month period, the Town Board may grant one (1) twelve (12) month extension of site plan approval, upon the request of the applicant made at least thirty (30) days prior to the expiration of the original thirty-six (36) month period. This Section shall also apply to site plans which have been approved but which have not obtained a building permit prior to the date of adoption of this Section. In such event, the time to obtain a building permit shall be thirty-six (36) months from the effective date of adoption of this Section.

108-130 B. All other districts:

~~Any activity or land use, except single family residential or agricultural, and their attendant accessory uses, requiring a building permit hereunder, including conversions and changes of uses, and all clearing and grading, except where the permit sought involves only a sign on a structure.~~

Any clearing, grading, new construction or any conversion, alteration, addition, or repair of an existing land use or structure except single-family residential or agricultural and their attendant accessory uses which requires a building permit and which will effect a change to the exterior of the affected structure(s) and/or area of the site, except signs. Nothing herein shall affect any owner's obligation to obtain a valid sign permit.

108-131 Applications

A. Preliminary Review

The site plan process shall commence with the submission of preliminary plan(s) for review by the Planning Department to determine code compliance and aesthetic compatibility. Said review shall be a process between the Planning Department staff and the project designer(s), with no time limitation or fee imposed. Plans shall include such drawings as shall clearly represent those structural, topographical, and design features that the Architectural Review Board and the Planning Department staff require to evaluate the proposed construction, addition, reconstruction, or alteration. Poor quality and/or incompleteness of drawings may result in resubmittal and consequent delay to applicants. The end result of the preliminary review shall be a site plan which shall be acceptable in concept for formal application.

- B. Subsequent to preliminary review, an application for site plan approval shall be made on the form for same provided by the Planning Department. ~~Eleven (11)~~ Twelve (12) copies, plus additional copies as may be required by other levels of government with jurisdiction over the site, of the application, a current survey prepared by a licensed surveyor, the site plan (if separate from the survey), and any other submission or exhibit required by this Article shall be submitted, together with a receipt for the appropriate fee, to the Planning Department.

The Planning Department shall reject any application if it is not so complete or in conformance, and shall notify the applicant as to the reason for such rejection.

For each application for site plan approval submitted to the Planning Department under the provisions of this ordinance, the filing fee shall be one hundred dollars (\$100.), plus one cent (\$.01) per square foot of site improvements and/or altered area. The fee to review an application to amend a previously approved site plan shall be fifty dollars (\$50.).

Revisions to a site plan or to elevations ~~in excess of fifty (50) percent of the total affected area, or which significantly change the character or appearance of the project, or which occur after the issuance of a certificate of occupancy,~~ shall constitute require re-submission of an amended site plan and shall be charged accordingly.

The site plan shall be drawn to the following minimum scales:

1. Overall development plan, sites of less than two (2) acres:
one inch equals twenty feet (1" = 20')
2. Overall development plan, sites of two (2) acres or more:
one inch equals forty feet (1" = 40')

3. Detailed portions of a site plan, sites of any size: one inch equals ten feet (1" = 10')

C. Further Processing

If the application is satisfactory, the Planning Department shall retain one (1) copy of the submission, and shall forward the remainder, within seven (7) days, to the Town Clerk. The Town Clerk shall check all elements of a site plan application, shall retain one (1) copy for her file, and shall thereupon distribute the remaining copies, for review and comment, as follows:

- one (1) copy to the Office of the Supervisor;
- one (1) copy to the Building Department;
- one (1) copy to the Town Attorney;
- one (1) copy to the Town Board Coordinator;
- one (1) copy each to the Highway Superintendent, Sewer District Superintendent, and/or Water District Superintendent, as appropriate;
- two (2) copies to the Fire Marshal;
- one (1) copy to the Architectural Review Board.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared REMOVED FROM THE TABLE?

108-130 B. All other districts:

~~Any activity or land use, except single family residential or agricultural, and their attendant accessory uses, requiring a building permit hereunder, including conversions and changes of uses, and all clearing and grading, except where the permit sought involves only a sign on a structure.~~

- (1) Any clearing or grading;
- (2) Any new land use or construction;
- (3) Any conversion, alteration, addition, or repair of an existing land use or structure which requires a building permit and:
 - (a) Will effect a change to the exterior of the affected structure(s), or
 - (b) Will effect a change to the area of the site, including but not limited to: parking, loading, paving, access, and drainage
- (4) Site plan review and approval shall specifically not be required for:
 - (a) Single-family residential and uses accessory thereto;
 - (b) Agriculture and uses accessory thereto;
 - (c) Any clearing or grading necessary to single-family residence construction, commenced upon issuance of a building permit for said construction;
 - (d) Any use permit issued pursuant to the requirements of Section 108-73 of this Chapter;

Councilman Lombardi offered the above amendment to resolution #635 which was seconded by Councilwoman Civiletti.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared AMENDED.

Councilman Boschetti offered resolution #635 as amended which was seconded by Councilman Lombardi.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted as AMENDED.