

05.22.13
130427

ADOPTED

TOWN OF RIVERHEAD

Resolution # 427

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE TOWN CODE OF THE TOWN OF RIVERHEAD ENTITLED, "ZONING"
(ARTICLE XXXIV – Multifamily Residential Professional Office Zone – §108-171. Landscaping, screening and buffering.)

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 108 of the Town Code of the Town of Riverhead entitled, "Zoning"; and

WHEREAS, a public hearing was held on the 7th day of May, 2013 at 2:20 o'clock p.m. at Riverhead 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.

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 of the Town Code of the Town of Riverhead entitled, "Zoning" is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice of adoption once in the News-Review Newspaper and to post same on the signboard at Town Hall; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Giglio Yes No Gabrielsen Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on May 22, 2013. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**CHAPTER 108
ZONING
ARTICLE XXXIV
Multifamily Residential Professional Office Zone**

§ 108-171. Landscaping, screening and buffering.

~~A. Screening and buffering shall meet the minimum requirements of § 108-64.1 of this chapter.~~

- A. A front yard landscape buffer plan shall be reviewed and approved by the Planning Board for property zoned Multifamily Residential Professional Office (MFPO) Zone for residential uses. Said plan shall include a minimum 35-foot front yard landscaped buffer along the entire property line with the exception of the required site and emergency access locations and/or bus shelter, as required by the Planning Board. Proposed landscaping shall not impede sight distances from any street intersections and/or driveways.
- B. Proposed landscaping shall be staggered, and of sufficient height to fully diffuse and screen the mass and scale of the development from the street view year-round. The term "sufficient height" shall mean deciduous trees no less than 3 ½ -inch caliper and a variety of evergreen trees a minimum of six (6) feet in height. Said buffer yard may be designed to include the installation and planting of an earthen berm and/or fence not to exceed six (6) feet in height. Said fence shall be placed behind any required berm or buffer vegetation.
- ~~B. C.~~ Yard Landscaping. Within all the required yards the existing vegetation shall be retained. Any proposals for disturbance shall be subject to site plan approval and Architectural Review Board recommendation.
- ~~C. D.~~ Preservation of existing vegetation. Site plans for the development of property located in a Multifamily Residential Professional Office Zone district shall include an indication of existing mature trees and 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 character of the Town.

~~D.~~ E. Parking Areas.

- (1) The visual impact of parking areas shall be softened by interrupting continuous rows of parking spaces with planting and by creating plated canopies over parking areas.
- (2) Any open parking areas of 15 spaces or more shall be provided with internal landscaping covering not less than 10% of the total area of the parking area.
- (3) Landscaping shall be reasonably dispersed throughout the parking area. Primary landscape materials shall be shade trees. Secondary materials shall compliment the tree planting and the surrounding natural environment.

- Underscore represents addition(s)
- Overstrike represents deletion(s)

Dated: Riverhead, New York
May 22, 2013

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

DIANE M. WILHELM, Town Clerk