



**Office of the Town Clerk**  
*James M. Wooten, Town Clerk*

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**Registrar of Vital Statistics**

**Records Management Officer**

**Marriage Officer**

August 8, 2024

General Code Publishers  
781 Elmgrove Road  
Rochester, NY 14624  
Attn: Jan Medina

Dear Ms. Medina:

ENCLOSED HEREWITH please find the following resolution which was adopted by the Riverhead Town Board at a Regular Town Board meeting on August 6, 2024.

**#15- Resolution # 704 – Adopted 8/06/2024**

ADOPTS A LOCAL LAW TO AMEND CHAPTER 301 ZONING AND LAND DEVELOPMENT, PART 3 SUPPLEMENTARY REGULATIONS, ARTICLE XLV SUPPLEMENTARY USE REGULATIONS, §301-231 F. (5) ALTERNATIVE PAVING TECHNIQUES

Sincerely,

James M. Wooten  
Town Clerk  
JW:cd

08.06.2024

ADOPTED

## TOWN OF RIVERHEAD

## TB Resolution 2024-704

**ADOPTS LOCAL LAW TO AMEND CHAPTER 301 ZONING AND LAND DEVELOPMENT, PART 3 SUPPLEMENTARY REGULATIONS, ARTICLE XLV SUPPLEMENTARY USE REGULATIONS, §301-231 F. (5) ALTERNATIVE PAVING TECHNIQUES**

Councilwoman Waski offered the following resolution,  
which was seconded by Councilman Rothwell

**WHEREAS**, the Town Clerk was authorized to publish the attached public notice to consider a local law to amend Chapter 301 Zoning and Land Development, Part 3 Supplementary Regulations, Article XLV Supplementary Use Regulations, §301-231 F. (5) Alternative Paving Techniques, of the Code of the Town of Riverhead (“Riverhead Town Code”); and

**WHEREAS**, a public hearing was held on the 4<sup>th</sup> day of June 2024 at 2:10 o'clock p.m. at the Riverhead Town Hall, 4 W Second Street Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

**WHEREAS**, the Adoption of the subject Local law is an Unlisted Action pursuant to SEQRA, with coordinated review being optional and not recommended.

**WHEREAS**, Planning Department Staff, on behalf of the Riverhead Town Board has prepared part 1 the Short Environmental Assessment Form (SEAF) dated May 10, 2024 and part 2 and part 3 of the SEAF dated August 6, 2024; Now, therefore be it

**RESOLVED**, that the Riverhead Town Board hereby classifies the local law to amend Chapter 301 Zoning and Land Development, Part 3 Supplementary Regulations, Article XLV Supplementary Use Regulations, §301-231 F. (5) Alternative Paving Techniques, of the Code of the Town of Riverhead (“Riverhead Town Code”) as an Unlisted Action pursuant to SEQRA, and assumes Lead Agency, without coordinated review; and be it further,

**RESOLVED**, that the Riverhead Town Board hereby issues a Negative Declaration pursuant to SEQRA, for local law to amend Chapter 301 Zoning and Land Development, Part 3 Supplementary Regulations, Article XLV Supplementary Use Regulations, §301-231 F. (5) Alternative Paving Techniques, of the Code of the Town of Riverhead (“Riverhead Town Code”) as the proposed action is not likely to result in any significant adverse environmental impacts; and be it further,

**RESOLVED**, that local law to amend Chapter 301 Zoning and Land Development, Part 3 Supplementary Regulations, Article XLV Supplementary Use Regulations, §301-231 F. (5) Alternative Paving Techniques, of the Code of the Town of Riverhead (“Riverhead Town Code”) is hereby adopted as specified in the attached notice of adoption; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Planning Department, the Office of the Town Attorney, The Building Department, Office of the Fire Marshal and Code Enforcement; and

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

**THE VOTE**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Joann Waski, Councilwoman
<b>SECONDER:</b>	Kenneth Rothwell, Councilman
<b>AYES:</b>	Hubbard, Rothwell, Kern, Merrifield, Waski

**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 301 Zoning and Land Development, Part 3 Supplementary Regulations, Article XLV Supplementary Use Regulations, §301-231 F. (5) Alternative Paving Techniques. The purpose of this amendment is to clarify how parking areas contribute to a site’s impervious surface calculation.

A copy of the entire text of the adopted local law and the provisions of the existing law to be amended may be reviewed at the Office of the Town Clerk, 4 W Second Street, Riverhead, New York 11901, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday and can be accessed on the Town of Riverhead website at: [www.townofriverheadny.gov](http://www.townofriverheadny.gov) under the Agenda and Minutes for the August 6, 2024 Town Board Meeting.

Dated: Riverhead, New York  
August 6, 2024

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD  
JAMES M. WOOTEN, TOWN CLERK**

Attachment: Notice of Adoption to Amend Chapter 301 Zoning and Land Development, Part 3 Supplementary Regulations, Supplementary

§ 301-231 F. (5) **Alternative Paving Techniques**

(5) Alternative pervious paving techniques.

- (a) When deemed appropriate by the Town Engineer and Planning Department consulting engineer and approved by the applicable Board approving the site plan, the following alternative pervious paving techniques may also be allowed:
  - [1] Porous asphalt, porous concrete, or permeable pavers over appropriate base and subbase material;
  - [2] Other pervious paving techniques not specifically listed when deemed suitable as to use and location.
- (b) Since alternative pervious pavement techniques may require maintenance not required for conventional paving systems, the applicable Board may require as part of the covenants approving a site plan a maintenance agreement and periodic inspections.
- (c) Note: alternative pervious paving techniques shall only be permitted in place of and as an alternative to traditional drainage structures, including but not limited subsurface catch basins, drywells, recharge basins, retention ponds or detention ponds and shall not be utilized to exceed and/or circumvent maximum building lot coverage, maximum floor area ratio, or maximum impervious surface calculations permitted in the applicable zoning use district and shall instead be considered part of, and shall contribute to the impervious surface calculation for the purposes of zoning.

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