

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the **16<sup>th</sup> day of May, 2007, at 7:20 p.m.** at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend **Chapter 12** of the Riverhead Town Code entitled, "**Coastal Erosion Hazard areas**" as follows:

§ 12-6 Definitions.

GROSS FLOOR AREA – The sum of the horizontal areas of all floors of a building including interior and exterior balconies, mezzanines and attached decks and porches. Horizontal floor dimensions are to be measured from the exterior faces of the walls of each such floor or from the center line of party walls with any adjoining building.

GROUND AREA COVERAGE – The horizontal area of a structure's footprint.

~~MAJOR ADDITION — An addition to a structure resulting in an increase of 25% or greater in the ground area coverage of the structure, other than an erosion protection structure or a pier, dock or wharf. The increase will be calculated as the ground area coverage to be added, including any additions previously constructed under a coastal erosion management permit, divided by the ground area coverage of the existing structure, as defined in "existing structure."~~

MEAN HIGH WATER – The approximate average high water level for a given body of water at a given location, determined by reference to hydrological information concerning water levels or other appropriate tests.

REGULATED ACTIVITY — The construction, modification, restoration or placement of a structure ~~or major addition to a structure~~ or any action or use of land which materially alters the condition of land, including grading, excavating, dumping, mining, dredging, filling or other disturbance of soil or any activity which alters or disturbs the existing natural protective features, which includes trimming and clearing of vegetation. "Regulated activity" does not include routine agricultural operations involving cultivation and harvesting or the implementation of practices recommended in a soil and water conservation plan, as defined in § 3(12) of the Soil and Water Conservation Districts Law, provided that such agricultural operations and implementation of practices will not be construed to include any activity that involves the construction or placement of a structure. ~~"Regulated activity" does not include the restoration of a preexisting, nonconforming structure which is damaged or destroyed by events not related to coastal flooding or erosion.~~

RESTORATION — The in kind in place reconstruction of a structure without modification, of a structure, the cost of which equals or exceeds 50% of the estimated full replacement cost of the structure at the time of restoration. Without modification shall mean reconstruction to pre-existing dimensions of gross floor area and ground area coverage. Modifications may be allowed, however, if they do not exceed those preexisting dimensions and are intended to mitigate impacts to natural protective features and other natural resources. ~~Modifications,~~

~~however, may be allowed if they do not exceed preexisting size limits and are intended to mitigate impacts to natural protective features and other natural resources.~~

UNREGULATED ACTIVITY — Excepted activities that are not regulated by this chapter include but are not limited to: docks, piers, wharves or structures built on floats, columns, open timber piles or other similar openwork supports with a top surface area of less than 200 square feet ~~or~~ and which are removed in the fall of each year; normal beach grooming or cleanup; maintenance of structures when normal and customary and/or in compliance with an approved maintenance program; planting vegetation and sand fencing so as to stabilize or entrap sand in primary dune and secondary dune areas in order to maintain or increase the height and width of dunes; routine agricultural operations, including cultivation or harvesting, and the implementation of practices recommended in a soil and water conservation plan as defined in § 3(12) of the Soil and Water Conservation Districts Law; provided, however, that agricultural operations and implementation of practices will not be construed to include any activity that involves the construction or placement of a structure. ~~In addition, the restoration (as defined in this chapter) of a preexisting, nonconforming structure damaged or destroyed by events not related to coastal flooding or erosion is considered an unregulated activity.~~

#### § 12-13 Dune Area Restrictions.

A.

- (5) ~~Nonmajor additions to existing structures are allowed on primary dunes pursuant to a coastal erosion management permit and subject to permit conditions concerning the location, design and potential impact of the structure on the primary dune.~~ New construction, modification or restoration of walkways or stairways done in accordance with conditions of a coastal erosion management permit.

B.

- (3) ~~Nonmajor additions to existing structures are allowed on secondary dunes pursuant to a coastal erosion management permit.~~ New construction, modification or restoration of walkways or stairways done in accordance with conditions of a coastal erosion management permit.

#### § 12-14 Bluff Area Restrictions.

B.

- (4) ~~Nonmajor additions to existing structures pursuant to a coastal erosion management permit.~~ Restoration, as defined herein, of pre-existing structures pursuant to a coastal erosion management permit provided the cost of the restoration is less than 50% of the estimated full replacement cost of the structure at the time of restoration.

#### § 12-27 Fees for permits and appeals.

A. ~~\$90.~~ 100.

D. Construction or modification of docks, piers or wharves:

- (1) ~~\$70.~~ 100.
- (2) ~~\$100.~~ 200.
- (3) ~~\$50.~~ 100.

**DATED: April 17, 2007**

Riverhead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD  
BARBARA GRATTAN, TOWN CLERK