

**Meeting of June 22, 2011
TOWN OF ORANGETOWN PLANNING BOARD**

MEMBERS PRESENT: Kevin Garvey, Chairperson; Bruce Bond; Jeffrey Golda; John Foody; Andy Stewart; William Young and Jeffrey Golda

MEMBERS ABSENT: Robert Dell

ALSO PRESENT: Richard Pakola, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Cheryl Coopersmith, Chief Clerk

Kevin Garvey, Chairperson called the meeting to order at 7:30 p.m. Mr. Garvey read the agenda. Hearings as listed on this meeting's agenda which are made a part of these minutes, were held as noted below:

Continued from the June 8, 2011 Meeting:

Hiep Estates Subdivision

Prepreliminary/ Preliminary
Subdivision Plan and SEQRA Review
77.07/3/9; RG zoning district

**Preliminary Approval
Subject to Conditions
Neg. Dec.**

PB #11-03

New Item

McKeon Subdivision

Recommendation to the
Town Board to Release
Performance Bond
Section 69.18, Block 2,
Lots 2.1, 2.2 and 2.3;
R-15 zoning district

**Recommended
to the Town Board
to Release the
Performance Bond**

PB #11-26

Other Business:

- 1) **787 Route 9W, Upper Grandview, in the Critical Environmental Area, Section 75.05, Block 1, Lot 9:** The Board reviewed plans and determined the proposed Zip Line to be installed at the site **does not need to be reviewed by the Planning Board.** The Zip Line would be installed into the Belgium block curb on driveway in Town of Orangetown and connect onto the side of the property owner's house, located in the Village of Piermont. The purpose of the Zip Line is to transport packages from the owner's car from the driveway to the house.

- 2) **Tri-Seal Dust Collector Plans: 900 Bradley Hill Road, Blauvelt, Section 65.14, Block 1, Lot 1:** The Board reviewed plans and determined the proposed installation of a dust collector at the **site does not need to be reviewed by the Planning Board.** The project will appear at the Zoning Board of Appeals for Performance Standards and the Architecture and Community Appearance Board of Review for an aesthetic review.

Meeting of June 22, 2011
TOWN OF ORANGETOWN PLANNING BOARD

The Decisions of the above hearings, as attached hereto, although made by the Board before the conclusion of the meeting are not deemed accepted and adopted by the Board until adopted by a formal motion for adoption of such minutes by the Board. Following such approval and adoption by the Board, the Decisions are mailed to the applicant. The verbatim transactions are not transcribed, but are available.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Bruce Bond and seconded by William Young and agreed to by all in attendance. The meeting was adjourned at 8:30 p.m. The next Planning Board meeting is scheduled for July 13, 2011.

DATED: June 22, 2011
Town of Orangetown Planning Board

PB #11-03: Hiep Estates Subdivision; Preliminary Subdivision Plan subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision

June 22, 2011

Page 1 of 10

TO: Donald Brenner, P.E., LL.B., 4 Independence Avenue, Tappan,
New York 10983

FROM: Orangetown Planning Board

RE: Hiep Subdivision Plan: The application of Kenneth Hiep, owner, (Donald Brenner, Attorney for the applicant) for Prepreliminary/ Preliminary Subdivision Plan Review, at a site to be known as "Hiep Subdivision Plan", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 372 Kings Highway, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.07, Block 3, Lot 9 in the RG zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, February 9, June 8 & 22, 2011**, the Board made the following determinations:

February 9, 2011

Donald Brenner and Kenneth Hiep appeared and testified.

The Board received the following communications:

1. Project Review Committee Reports dated January 5 & 19, 2011.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated January 12, 2011.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., January 6, 2011.
4. A letter from HDR, signed by Michael Murphy, dated February 8, 2011.
5. Letters from Rockland County Department of Planning, Salvatore Corallo, Commissioner of Planning, dated December 2, 2010.
6. Letters from the Rockland County Department of Highways, signed by Joseph Arena, January 4, 2011.
7. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer, dated January 4, 2011.

PB #11-03: Hiep Estates Subdivision; Preliminary Subdivision Plan subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision

June 22, 2011

Page 2 of 10

8. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated November 12 & 15, 2010.
9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by William Mowerson, dated November 17, 2010.
10. A letter from the Rockland County Drainage Agency, signed by Shajan Thottakara, P.E., dated November 29, 2010.
11. A Short Environmental Assessment Form signed by Kenneth Hiep dated October 28, 2010.
12. Plans prepared by Jay Greenwell, PLS, dated October 25, 2010:
 - Sheet 1: Subdivision
 - Sheet 2: Grading, Drainage and Utility Plan
 - Sheet 3: Detail Sheet
13. Hydraulic Analysis and Stormwater Design Calculations, prepared by Paul Gdanski, P.E., dated October 25, 2010.
14. A letter from Mark Freitag and John Schauder, dated February 1, 2011.
15. A letter from David Robinson, dated February 9, 2010.

Public Comments:

David Robertson, 380 Kings Highway, raised concerns regarding the drainage impact of the proposed development on his property. Mr. Robertson raised quality of life issues and requested information regarding the location of proposed driveways. He also noted that the property is located within the floodplain. Mr. Robertson read his letter into the record.

Larry Vail, 389 Kings Highway, a member of the Town of Orangetown Architecture and Community Appearance Board of Review, however, representing himself at the meeting, requested information regarding the State Environmental Quality Review Act.

The applicant requested a **CONTINUATION**.

June 8, 2011

Donald Brenner and Kenneth Hiep appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated June 1, 2011.

PB #11-03: Hiep Estates Subdivision; Preliminary Subdivision Plan subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision

June 22, 2011

Page 3 of 10

2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated June 8, 2011.
3. A letter from HDR, signed by Michael Murphy, dated May 13, 2011.
4. A letter from Rockland County Department of Planning, Thomas Vanderbeek, Commissioner of Planning, dated May 26, 2010.
5. Letters from the Rockland County Drainage Agency, signed by Shajan Thottakara, P E., dated May 4, 2011 and November 29, 2010.
6. A letter from the Rockland County Department of Highways, signed by Joseph Arena, May 6, 2011.
7. A letter from Rockland County Department of Health, signed by Scott McKane. P.E., Senior Public Health Engineer, dated April 27, 2011.
8. Plans prepared by Jay Greenwell, PLS:
 - Sheet 1: Subdivision, dated September 30, 2010, revised April 14, 2011
 - Sheet 3: Detail Sheet, dated October 25, 2010
9. A copy of a letter to Anthony Brozier, P.E., HDR, dated May 2, 2011, signed by Jay Greenwell PLS.

Public Comments:

Steve Dunlop, 375 Kings Highway, raised concerns regarding the safety of the proposed driveway location and the impact to his property.

David Robinson, 380 Kings Highway, raised concerns regarding drainage impact to the area. Mr. Robinson held that the property should be preserved as open space.

The applicant requested a **CONTINUATION**.

June 22, 2011

Daniel Delo Santos appeared and testified for the applicant.

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated June 22, 2011.

Public Comments:

Mary Vail, 389 Kings Highway, opposed the project because it is a flag lot configuration. She raised issues of additional traffic to an already busy roadway, construction near a floodplain and devaluation of her property if the project is constructed.

David Robinson, 380 Kings Highway, raised concerns regarding increased traffic to the area and the addition of a driveway to the busy roadway.

PB #11-03: Hiep Estates Subdivision; Preliminary Subdivision Plan subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision

June 22, 2011

Page 4 of 10

There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by Bruce Bond and second by Jeffrey Golda and carried as follows: Bruce Bond, aye; Andy Stewart, aye; William Young, aye; Robert Dell, absent; John Foody, aye; Jeffrey Golda, aye and Kevin Garvey, aye.

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (ak) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Jeffrey Golda and seconded by William Young and carried as follows: Bruce Bond, aye; Andy Stewart, aye; William Young, aye; Robert Dell, absent; John Foody, aye; Jeffrey Golda, aye and Kevin Garvey, aye the Board declared itself Lead Agency.

Pursuant to New York Code, Rules & Regulations (NYCRR) Section 617.7, the Town of Orangetown Planning Board, as lead agency, for the reasons articulated in this Board's analysis of all of the submissions by the applicant, interested agencies, departments and the public, with respect to this project including the Environmental Assessment Form, which reasons are summarized in the motion, hereby determines that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared.

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely Jay Greenwell, PLS and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Planning, Rockland County Department of Highways, Rockland County Department of Health, Rockland County Sewer District No.1, Rockland County Drainage Agency, and having reviewed a proposed Subdivision plan by prepared by Jay Greenwell, PLS a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

PB #11-03: Hiep Estates Subdivision; Preliminary Subdivision Plan subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision

June 22, 2011

Page 5 of 10

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown's Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Bruce Bond and seconded by Jeffrey Golda and carried as follows: Bruce Bond, aye; Andy Stewart, aye; Robert Dell, absent; John Foody, aye; William Young, aye; Jeffrey Golda, aye and Kevin Garvey, aye the Board made a Negative Declaration pursuant to SEQRA.

DECISION: In view of the foregoing and the testimony before the Board, the application was GRANTED A PRELIMINARY APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. The following note shall be placed on the subdivision plan":At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and

PB #11-03: Hiep Estates Subdivision; Preliminary Subdivision Plan subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision

June 22, 2011

Page 6 of 10

Continuation of Condition #1....

Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting.”

- 2.** Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations
- 3.** The sight distances for the driveways on lots 1 and 2 shall be shown on the plan.
- 4.** The sanitary sewer line for lot 1 shall be shown on the plan.
- 5.** The following Zoning Board of Appeals Variances need to be sought from the Town of Orangetown Zoning Board of Appeals:
 - A.** A Minimum Lot Area of 10,000 square feet is required and Lot 1 has 9,753 square feet proposed (Zone RG, Column 5).
 - B.** A Minimum Lot Width of 75 feet is required and lot 1 has 72 feet proposed (Zone RG, Column 6).
 - C.** A Minimum Street Frontage of 50 feet is required and lot 2 has 20.08 feet proposed (Zone RG, Column 7).
 - D.** A Minimum Front Yard of 25 feet is required and lot 2 has 18 feet proposed. (Zone RG, Column 8).
 - E.** A Minimum Side Yard of 10 feet is required and lot 1 has 6.8 feet proposed. (Zone RG, Column 9).
 - F.** A Maximum Building Height of 16 inches per foot is allowed and lot 1 allows 9.07 feet and 30 feet is proposed. Lot 2 allows 18.66 feet and 25 feet is proposed. (Zone RG, Column 12).

PB #11-03: Hiep Estates Subdivision; Preliminary Subdivision Plan subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision

June 22, 2011

Page 7 of 10

6. The Short Environmental Assessment Form shall have item #5 checked as "new." The applicant/sponsor name is shown as "Sean Quinn" and the signature is "Kenneth Hiep." Please correct.

7. The existing sanitary house connection for Lot #1 shall be shown on the site plan.

8. The drainage calculations are currently under review by DEME. However, the because Perc Rate is assumed, a field Perc Test shall be administered prior to receiving final approval for site plan, to ensure adequacy of designed drainage system. The applicant's engineer shall provide a copy of the field Perc Test to 10. DEME and the Building Department.

9. The sight distance at both driveway entrances onto Kings Highway shall be given on the plans.

10. All references to the "Rockland County Sewer District No. 1" on the detail sheet shall be removed.

11. A driveway pavement detail (including dimensions) shall be included on the drawings.

12. The metes and bounds for the area to be dedicated to the Town shall be given on the plans.

13. The site is located on the north side of Kings Highway across from Elmer Street in the Village of Tappan. The 0.46 acre site contains an existing macadam driveway with access to Kings Highway, an existing shed and an existing residential dwelling (Lot #1). It appears that the existing driveway on Lot #1 will be made slightly larger than currently shown by adding a turn around area. Also the applicant proposes to construct a new 1,056 square-foot, single-family dwelling (Lot 2), which will access the existing Kings Highway via a new driveway. This current layout (revision date April 11, 2011) varies from the previous plan set submittal.

PB #11-03: Hiep Estates Subdivision; Preliminary Subdivision Plan subject to Conditions/ Neg. Dec.

**Town of Orangetown Planning Board Decision
June 22, 2011
Page 8 of 10**

Continuation of Condition #13...

The previous calculations, dated October 25, 2010 provided by the Applicant support the zero net increase of runoff from the 2,820 square feet of new impervious area being proposed. According to the letter from Jay Greenwell, PLS, dated May 2, 2011, the new configuration results in a "slight decrease in the impervious area to approximately 2,600 sf." This will result in less stormwater runoff being generated from the site when compared to the previous layout. In line with previous comments, the driveway for Lot #2 contains curbing on both sides, and provides spot elevations to show that the runoff from the driveway will be directed to the drywell. Despite the changes to the layout in the subdivision plans, the Applicant has shown that the site still yields a zero net runoff. However, at this time, the Drainage Consultant to the Planning Board recommends acceptance for drainage with the following condition:

1. All piping that will be routing runoff to the drywell (e.g. roof leaders) shall be shown in their entirety around the building, with directional arrows. The Drainage Consultant is concerned that the piping could potentially conflict with existing and/or proposed water and sewer utilities. In the event that the plans are revised, the applicant shall submit the updated plans for HDR review of the drainage for the site.

14. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:

- As indicated in the November 29, 2010 letter from the Rockland County Drainage Agency, a permit will be required from this agency, and the subdivision plat must be signed by the Chairman of the Rockland County Drainage Agency before the Rockland County Clerk will accept same for filing.
- Prior to any grading or construction on the site, a soil and erosion control plan shall be developed that meets the New York State Guidelines for Urban Erosion and Sediment Control.
- It is recommended that a note be added to the subdivision plat describing who will have maintenance responsibilities for the driveway easement.
- In Note 2 on the subdivision plat, the address of the owner shall be revised to indicate the post office as Tappan.
- There shall be no net increase in stormwater runoff from the site at all design points.
- Public sewer mains requiring extensions within a right of way or an easement shall be reviewed and approved by Rockland County Department of Health prior to construction.
- The Rockland County Department of Planning requests the opportunity to review any variances that may be requested from the Town of Orangetown Zoning Board of Appeals in order to implement the revised Site Plan, as required by New York State General Municipal Law, Section 239-m, (a)(v).

PB #11-03: Hiep Estates Subdivision; Preliminary Subdivision Plan subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision

June 22, 2011

Page 9 of 10

15. The Rockland County Department of Highway reviewed the plans and information provided and found the proposed action shall have not foreseeable adverse impact upon county roads in the area.

16. Rockland County Sewer District #1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District and no future correspondence is requested for this site.

17. The Rockland County Department of Health (RCDOH) reviewed the plans and found that application is to RCDOH for review of the Stormwater Management system for compliance with the County Mosquito Code.

18. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, the site has been determined to be within the jurisdiction of the RCDA. Accordingly, a permit from the RCDA pursuant to the Rockland County Stream Control Act is required. Please have the applicant submits an application to RCDA immediately.

Furthermore, please be advised that that pursuant to the Rockland County Stream Control Act, Chapter 846, requires that all subdivision maps must be signed by the Chairman of the Rockland County Drainage Agency before the Rockland County Clerk will accept same for filing.

19. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:

- Rockland County Department of Planning
- Rockland County Sewer District #1
- Rockland County Drainage Agency
- Rockland County Department of Health
- Rockland County Department of Highways
- Town of Orangetown Zoning Board of Appeals

20. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plats prior to signing the final plans.

PB #11-03: Hiep Estates Subdivision; Preliminary Subdivision Plan subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision

June 22, 2011

Page 10 of 10

21. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Subdivision Plan.

The foregoing Resolution was made and moved by Kevin Garvey and seconded by John Foody and carried as follows: Bruce Bond, aye; Kevin Garvey, aye; Andy Stewart, nay; William Young, aye; John Foody, nay; Robert Dell, absent and Jeffrey Golda, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this **Decision** and file a certified copy in the Office of the Town Clerk and the Office of the Planning Board.

Dated: June 22, 2011

Town of Orangetown Planning Board

Attachment

**State Environmental Quality Review Regulations
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

PB #11-03: Hiep Estates Subdivision; Preliminary Subdivision Plan subject to Conditions/ Neg. Dec.

**Town of Orangetown Planning Board Decision
June 22, 2011**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

The PLANNING BOARD, TOWN OF ORANGETOWN, as Lead Agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not be prepared.

NAME OF ACTION: Hiep Estates Subdivision

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Subdivision

LOCATION: The site is located at 372 Kings Highway, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.07, Block 3, Lot 9 in the RG zoning district.

REASONS SUPPORTING THIS DETERMINATION:

The Orangetown Planning Board, as Lead Agency, determined that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared. The reasons supporting this determination are as follows:

The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed action. The proposed action is consistent with the Town of Orangetown's Master Plan and will not have any adverse economic or social impacts upon the Town or its businesses or residences.

If Conditioned Negative Declaration, the specific mitigation is provided on an attachment.

For Further Information contact:

John Giardiello, P.E., Director, Office of Building, Zoning and Planning
Administration and Enforcement

Town of Orangetown

20 Greenbush Road

Orangeburg, NY 10962

Telephone Number: 845-359-5100

For Type I Actions and Conditioned Negative Declarations, a copy of this notice is sent: - Commissioner, New York State Department of Environmental Conservation, - Region 3 Headquarters, Town Supervisor, Applicant, Involved Agencies

PB #11-26

McKeon Subdivision - Recommended to the Town Board to Release of the Performance Bond

Town of Orangetown Planning Board Decision

June 22, 2011

Page 1 of 1

TO: Andrew McKeon, 3 Terrence Court, Pearl River, New York 10965
FROM: Orangetown Planning Board
RE: McKeon Subdivision Plan: The application of Andrew McKeon, owner, for Recommendation to the Town Board to Release the Performance Bond, at a site know as "McKeon Subdivision Plan", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown. The site is located at Orangeburg Road and Terrence Court, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.18, Block 2, Lots 2.1, 2.2 and 2.3 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, June 22, 2011**, at which time the Board made the following determination:

The Board received the following communications:

1. Interdepartmental memorandum signed by John Giardiello, P.E., Director of the Office of Building, Zoning and Planning Administration and Enforcement, Town of Orangetown, dated June 22, 2011.
2. Interdepartmental memorandum signed by James Dean, Superintendent, Town of Orangetown Highway Department dated May 25, 2011.
3. PB # 97-142, Recommendation to the Town Board to Establish Value of Performance Bond dated September 24, 1997.
4. A letter signed by Andrew McKeon, dated May 1, 2011.

The Board reviewed the request.

The hearing was then opened to the Public. There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by Bruce Bond and seconded by Andy Stewart and carried as follows: Bruce Bond, aye; Andy Stewart, aye; Jeffrey Golda, aye; John Foody, aye; Robert Dell, absent; William Young, aye and Kevin Garvey, aye.

RECOMMENDATION: In view of the foregoing, the Board Recommended to the Town Board to Release the Performance Bond with the following condition:

1. Prior to filing the document in the Rockland County Clerk's Office, the applicant shall the Instrument Number on the Mylar.

The Clerk of the Board is hereby authorized, directed, and empowered to sign this **Recommendation** and file a certified copy in the Office of the Town Clerk and this Office of the Planning Board.

The foregoing Resolution was made by Bruce Bond and seconded by Andy Stewart and carried as follows: Bruce Bond, aye; Andy Stewart, aye; Jeffrey Golda, aye; John Foody, aye; Robert Dell, absent; William Young, aye and Kevin Garvey, aye.

Dated: June 22, 2011

Town of Orangetown Planning Board

