

**TOWN OF ORANGETOWN
PLANNING BOARD MEETING
NOVEMBER 14, 2007**

MEMBERS PRESENT:

Bruce Bond, Chairperson
Kevin Garvey, Vice-Chairperson Jeffrey Golda
Robert Dell Anthony Iurica
William Young John Foody

MEMBERS ABSENT: None

ALSO PRESENT:

John Giardiello, Director, Office of Building, Zoning and
Planning Administration and Enforcement
Robert Magrino, Deputy Town Attorney Ann Marie Ambrose, Stenographer
Cheryl Coopersmith, Chief Clerk

Bruce Bond, 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:

258 South Boulevard Subdivision Plan Granted PB #07-65
Extension of Performance Bond Term
66.17/1/25; R-22 zone

Colonial Court Subdivision Plan Granted PB #07-66
Extension of Performance Bond Term
69.13/2/2; R-22 zone

Blickman Subdivision Plan (Jacenquey) Granted PB #07-67
Request for 1st 90 Day Extension of
To File Subdivision with Rockland County
Clerk's Office
69.19/1/25; R-40 zone

Continued Item from the September 26, 2007 Meeting:
Hillside Commercial Park Subd. Plan Postponed to PB #07-44
Prepreliminary/Preliminary/Final **November 28th Meeting**
Subdivision Plan and SEQRA Review
68.16/1/1 and 68.11/3/39 & 40; LI zone

Continued Item from the September 26, 2007 Meeting:
Hillside Commercial Park Site Plan Postponed to PB #07-45
Prepreliminary/Preliminary Site Plan **November 28th Meeting**
and SEQRA Review
68.16/1/1 and 68.11/3/39 & 40; LI zone

The decisions of the October 24, 2007 Planning Board Meeting was reviewed, edited
and approved. The motion for adoption was made and moved by Kevin Garvey and
seconded by William Young and carried as follows: Bruce Bond, aye; Anthony Iurica,
aye; Jeffrey Golda, aye, Robert Dell, abstain; Kevin Garvey, aye, John Foody, aye and
William Young, aye.

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 Kevin Garvey, seconded by Anthony Iurica and agreed to by all in
attendance. The meeting was adjourned at 8:30 P.M. The next Planning Board meeting
is scheduled for November 28, 2007.

DATED: November 14, 2007 Planning Board Town of Orangetown
TOWN OF ORANGETOWN PLANNING BOARD
Cheryl Coopersmith, Chief Clerk

**TOWN OF ORANGETOWN
PLANNING BOARD DECISION**

**258 South Boulevard Subdivision
Extension of Term of Performance Bond**

**PB #07-65
November 14, 2007**

TO: Michael DeMarco
105 South Highland Avenue
South Nyack, New York 10960

FROM: Orangetown Planning Board

RE: The application of Michael DeMarco, applicant, for an Extension in the Term of the Performance Bond for the "**258 South Boulevard Subdivision**", which expired on December 8, 2006 and the applicant is requesting an extension in the term, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown and Chapter 21 of the Code of the Town of Orangetown. The site is located at 258 South Boulevard, Upper Grandview, Town of Orangetown, Rockland County, New York and shown on the Orangetown Tax Map as Section 66.17, Block 1, Lot 25 in the R-22 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **November 14, 2007**, at which time the Board made the following determination:

Michael DeMarco appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated November 7, 2005.
2. Interdepartmental memorandum signed by John Giardiello, P.E., Director of the Office of Building, Zoning and Planning Administration and Enforcement, Town of Orangetown, dated November 14, 2007.
3. An interdepartmental memorandum signed by Bruce Peters, P.E., Department of Environmental Management and Engineering, dated August 27, 2007.
4. An interdepartmental memorandum signed by James Dean, Superintendent, Town of Orangetown Highway Department, dated September 10, 2007.
5. PB #04-129, Recommendation to the Town Board to Establish Value of Performance Bond, dated December 8, 2004.
6. A letter from Rockland Enterprises Contracting, Inc., signed by Michael J. DeMarco, dated October 25, 2007.

The Board reviewed the plan.

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 John Foody seconded by Robert Dell and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, Jeffrey Golda, aye, John Foody, aye, Robert Dell, aye, William Young, aye, and Kevin Garvey, aye.

DECISION: In view of the foregoing, the Board EXTENDED THE TERM OF THE PERFORMANCE BOND for 6 MONTHS, subject to the following condition:

- 1. The applicant shall post a new Letter of Credit if the project site work is not completed within the next 30 day from the date of this meeting.**

The Clerk of 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 this Office of the Planning Board.

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

Dated: November 14, 2007, Planning Board

Cheryl Coopersmith

Planning Board	BY: _____	decd.		
Planning Board	OBZPAE	RC Planning	RC Drainage	RC Highway
Env. Mgt. Eng.	LMS	Town Board	Assessor	Town Attorney
PRC	Supr			

**TOWN OF ORANGETOWN
PLANNING BOARD DECISION**

**Colonial Court Subdivision
Extension of Term of Performance Bond**

**PB #07-66
November 14, 2007**

TO: Thomas Bertussi, President
60-70 Dexter Plaza
Pearl River, New York 10965

FROM: Orangetown Planning Board

RE: The application of Tri-Bee Ltd., applicant, for an Extension in the Term of the Performance Bond for the "**Colonial Court Subdivision**", which expired on December 14, 2007 and the applicant is requesting an extension in the term, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown and Chapter 21 of the Code of the Town of Orangetown. The site is located on Blauvelt Road, Pearl River, Town of Orangetown, Rockland County, New York and shown on the Orangetown Tax Map as Section 69.13, Block 2, Lot 2 in the R-22 zoning district.

Thomas Bertussi appeared and testified.

Heard by the Planning Board of the Town of Orangetown at a meeting held November 14, 2007, at which time the Board made the following determination:

The Board received the following communications:

1. Project Review Committee Report dated November 7, 2005.
2. Interdepartmental memorandum signed by John Giardiello, P.E., Director of the Office of Building, Zoning and Planning Administration and Enforcement, Town of Orangetown, dated November 14, 2007.
3. An interdepartmental memorandum signed by Bruce Peters, P.E., Department of Environmental Management and Engineering, dated August 27, 2007.
4. An interdepartmental memorandum signed by James Dean, Superintendent, Town of Orangetown Highway Department, dated September 10, 2007.
5. PB #05-136, Recommendation to the Town Board to Establish Value of Performance Bond, dated December 14, 2005.
6. A letter from Tri-Bee Ltd, signed by Thomas Bertussi, President, dated October 30, 2007.

The Board reviewed the plan.

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 Kevin Garvey, and seconded by John Foody and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, Jeffrey Golda, aye, John Foody, aye, Robert Dell, aye, William Young, aye, and Kevin Garvey, aye.

DECISION: In view of the foregoing, the Board EXTENDED THE TERM OF THE PERFORMANCE BOND TO December 15, 2008, FOR AN ADDITIONAL YEAR.

The Clerk of 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 this Office of the Planning Board.

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

Dated: November 14, 2007, Planning Board, Cheryl Coopersmith

Planning Board	BY: _____	decd.		
Planning Board	OBZPAE	RC Planning	RC Drainage	RC Highway
Env. Mgt. Eng.	LMS	Town Board	Assessor	Town Attorney
PRC	Supr			

**TOWN OF ORANGETOWN
PLANNING BOARD DECISION**

**Blickman Minor Subdivision Plan
(Jacqueny Subdivision)
Request for the 1st 90-Day Extension
To File the Subdivision Plan
With the Rockland County Clerk's Office,**

**PB #07-67
November 14, 2007
Page 1 of 2**

TO: Robert Prior, Esq.
17 South Broadway
Nyack, NY 10960-0205

FROM: Orangetown Planning Board

RE: Requests of Nancy Blickman, Trust by Victoria Jacqueny, Trustee, owners, for a 90 Day Extension to File the "**Blickman Minor Subdivision Plan**" with the Rockland County Clerk's Office, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown and Chapter 21 of the Code of the Town of Orangetown. The site is located at 15 Sickletown Road, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 69.19, Block 1, Lot 25 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held Wednesday, November 14, 2007, at which time the Board made the following determinations:

Victoria Jacqueny and Robert Prier appeared and testified.

The Board received the following communications:

1. A Project Review Report dated November 7, 2007.
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 November 14, 2007.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated November 9, 2007.
4. A letter signed by Robert B. Magrino, Deputy Town Attorney, Town of Orangetown, to Stephen Honan, Esq., dated November 9, 2007.
5. Letters to the Town of Orangetown Planning Board signed by Robert Prier, Esq., dated November 6 and October 15, 2007.
6. A letter to the Town of Orangetown Planning Board from Estrin & Benn, LLC, signed by Stephen Honan, Esq., dated October 12, 2007.
7. A copy of a letter to Robert Prier, Esq. from Estrin & Benn, LLC, signed by Stephen Honan, Esq., dated May 18, 2007.
8. PB #07-21, Final Subdivision Approval Subject to Conditions, dated March 14, 2007,

The Board discussed the request and the submitted letters.

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Blickman Minor Subdivision Plan
(Jacqueneay Subdivision)
Request for the 1st 90-Day Extension
To File the Subdivision Plan
With the Rockland County Clerk's Office,

PB #07-67
November 14, 2007

Public Comments:

Stephen Honan, attorney for abutting property owner Christopher O'Rourke, stated that his client appeared in front of the Planning Board and assumed that the Maintenance Easement Agreement would be entered into in accordance with the initial negotiations, however, that did not happen, nor is it now reflected on the Final Subdivision Plan before the Board. Mr. Honan also noted that the proposed Maintenance Easement Agreement was to have four access points, however, the current Agreement calls for five access points. Mr. O'Rourke wants the Easement to be used by only four access points.

Edmund Bleich, an abutting property owner, raised concerns regarding continued access to his property, a five acre site which has its only access off of the easement roadway. Mr. Bleich wants continued access for his heirs to the property, in the event they decide to subdivide the property.

A motion was made to close the Public Hearing portion of the meeting by Kevin Garvey seconded by Anthony Iurica and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, John Foody, aye, William Young, aye, Robert Dell, aye, Jeffrey Golda, aye, and Kevin Garvey, aye.

DECISION: In view of the foregoing, the Board GRANTED a 90 Day Extension in time to file the Blickman Minor Subdivision Plan with the Rockland County Clerk's Office.

The foregoing Resolution was made and moved by Anthony Iurica, seconded by William Young and carried as follows: Bruce Bond, aye, Kevin Garvey, aye, Anthony Iurica, aye, William Young, aye, John Foody, aye, Robert Dell, aye 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: November 14, 2007

Planning Board	BY: _____	decd.
Planning Board	OBZPAE	RC Planning RC Drainage RC Highway
Env. Mgt. Eng.	LMS	Town Board Assessor Town Attorney
PRC	Supr	