

MEETING OF OCTOBER 10, 2012
TOWN OF ORANGETOWN PLANNING BOARD

MEMBERS PRESENT: Kevin Garvey, Chairperson; Bruce Bond, Vice-Chairperson; William Young; Michael Mandel; Jeffrey Golda; John Foody and Robert Dell

MEMBERS ABSENT: None

ALSO PRESENT: John Giardiello, Director, Office of Building, Zoning, Planning Administration and Enforcement; Robert Magrino, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Elizabeth Decort, 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:

NEW ITEMS:

Crestron Electronics Performance Bond Request for a Recommendation to Town Board for Release or Extend the Term of the Performance Bond 77.05/1/36 & 37; LIO zoning district	Postponed to October 24th Meeting	PB #12- 41
Walsh Subdivision Performance Bond Request for an Extension of the Performance Bond Term 64.20/1/3; R-40 zoning district	Two Year Extension Granted	PB #12- 44
Nolan Monument Performance Bond Request for a Recommendation to the Town Board for Release of Performance Bond 74.07/1/7; CC zoning district	Approval Subject to DEME Review	PB #12- 45
Sickels Farm Subdivision Performance Bond Request for an Extension of the Performance Bond Term 69.08/1/2; R-40 zoning district	Six Month Extension Granted	PB #12- 46
Route 9W Golf Subdivision Performance Bond Request for an Extension of the Performance Bond Term 78.14/1/2; R-40 zoning district	Two Year Extension Granted	PB #12- 47
The Pointe at Lake Tappan Site/Subdivision Plan Request for an Additional 2 Year Extension to File the Plans 73.10/1/4, 5 & 6 (partial); PAC zoning district	Nine Month Extension Granted	PB #12-48

The decision of the September 24, 2012 Planning Board Meeting was reviewed, edited and approved. The motion for adoption was made and moved by William Young and seconded by Michael Mandel and carried as follows: John Foody, abstain; Kevin Garvey, aye, Jeffrey Golda, aye, Robert Dell, abstain; Bruce Bond, abstain; Michael Mandel, 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 Bruce Bond and seconded by John Foody and agreed to by all in attendance. The meeting was adjourned at 7:45 p.m. The next Planning Board meeting is scheduled for Wednesday, October 24, 2012.

DATED: October 10, 2012

PB #12- 44: Walsh Subdivision Performance Bond – Granted Two Year Extension of the Term of the Performance Bond

**Town of Orangetown Planning Board Decision
October 10, 2012**

TO: Paul Rowley, 64 South Constitution Drive, Tappan,
New York 10983

FROM: Town of Orangetown Planning Board

RE: Walsh Subdivision Performance Bond: The application of Paul Rowley, for an Extension of the Term of the Performance Bond at a site known as “**Walsh Subdivision**,” 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 on Townline Road, West Nyack, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 64.20, Block 1, Lot 3 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, October 10, 2012**, at which time the Board made the following determinations:

Paul Rowley appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated October 3, 2012.
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 October 10, 2012.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated October 4, 2012.
4. Copy of PB #08-35, Recommendation to the Town Board a Recommendation of the Value and Term of the Performance Bond, dated June 25, 2008.

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 John Foody and carried as follows: Bruce Bond, aye; Kevin Garvey, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; John Foody, aye and Jeffrey Golda, aye.

DECISION: In view of the foregoing, the Board **GRANTED A TWO YEAR EXTENSION OF THE TERM OF THE PERFORMANCE BOND UNTIL AUGUST 18, 2014**, subject to the following condition:

1. All previous conditions of subdivision approvals and performance bond requirements remain in effect.

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

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.

Dated: October 10, 2012
Town of Orangetown Planning Board

PB #12- 46: Sickels Farm Subdivision Performance Bond- Granted Six Month Extension of the Term of Performance Bond

Town of Orangetown Planning Board Decision
October 10, 2012

TO: William Bosley, La Bozz Builders 2, 10 Sugarhill Road, Nyack,
New York 10960
FROM: Town of Orangetown Planning Board
RE: Sickels Farm Subdivision Performance Bond: The application of La Bozz 2 Builders Corporation, for a Recommendation to the Town Board for an Extension of the Term of the Performance Bond at a site known as “**Sickels Farm Subdivision**”, 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 off of Sickletown Road, on O’Grady Court, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.08, Block 1, Lot 2 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, October 10, 2012**, at which time the Board made the following determinations:

The Board received the following communications:

1. Project Review Committee Report dated October 3, 2012.
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 October 10, 2012.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated October 4, 2012.
4. Copy of TB #70, dated July 14, 2010.

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

DECISION: In view of the foregoing, the Board **GRANTED A SIX MONTH EXTENSION OF THE TERM OF THE PERFORMANCE BOND UNTIL JUNE 13, 2013, subject to the following condition:**

1. All previous conditions of subdivision approvals and performance bond requirements remain in effect.

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

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.

Dated: October 10, 2012

Town of Orangetown Planning Board

**PB #12- 47: Route 9W Golf Course Subdivision Performance Bond –
Granted Two Year Extension of the Term of Performance Bond**

**Town of Orangetown Planning Board Decision
October 10, 2012**

TO: Wayne Wilcox, Lennar New York, 2465 Kuser Road, Fl #3
Hamilton, New Jersey 08690

FROM: Town of Orangetown Planning Board

RE: Route 9W Golf Course Subdivision Performance Bond: The application of Lennar, New York, LLC, for a Recommendation to the Town Board for an Extension of the Performance Bond Term at a site known as “**Route 9W Golf Course Subdivision**”, 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 on Kopac Lane, Palisades, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.14, Block 1, Lot 2 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, October 10, 2012**, at which time the Board made the following determinations:

Alan Wekstien appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Report dated October 3, 2012.
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 October 10, 2012.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated October 4, 2012.
4. Copy of PB #09-28, Recommendation to the Town Board for a Reduction in the Performance Bond, dated July 8, 2009 and PB# 09-12, 18 Month Extension of Term of Performance Bond, dated March 11, 2009.
5. A letter from Lennar, signed by Wayne Wilcox dated October 4, 2012, with a fully executed Verification Certificate issued from Fidelity and Deposit Company of Maryland.

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 William Young and carried as follows: Bruce Bond, aye; Kevin Garvey, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; John Foody, aye and Jeffrey Golda, aye.

DECISION: In view of the foregoing, the Board **GRANTED A TWO YEAR EXTENSION OF THE TERM OF THE PERFORMANCE BOND UNTIL OCTOBER 10, 2014**, subject to the following condition:

1. All previous conditions of subdivision approvals and performance bond requirements remain in effect.

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

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.

Dated: October 10, 2012
Town of Orangetown Planning Board

**PB #12- 48: The Pointe at Lake Tappan Site Plan/Subdivision Plan
Additional Nine Month Extension to File the Site Plan/Subdivision Plan**

**Town of Orangetown Planning Board Decision
October 10, 2012**

TO: Donald Brenner, 4 Independence Avenue, Tappan,
New York 10983
FROM: Orangetown Planning Board

RE: Pearl River Veterans, LLC- The application of Pearl River Veterans, LLC, owners, (Donald Brenner, attorney for the applicants) for an additional Extension to File the Site/Subdivision Plan for a proposed Adult Community to be known as **“The Pointe at Lake Tappan Site/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 on the South side of Veterans Memorial Drive, East of the existing Blue Hill Office Complex and West of Blue Hill South Drive, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 73.10, Block 1, Lots 4, 5 & 6 (partial) in the PAC zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **October 10, 2012** at which time the Board made the following determinations:

Donald Brenner and Seth Cohen appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated October 3, 2012.
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 October 10, 2012.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., October 4, 2012.

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

The Board reviewed the request for the extension.

DECISION: In view of the foregoing and the testimony before the Board, the application was **GRANTED A NINE MONTH EXTENSION TO JULY 10, 2013, TO FILE THE SITE PLAN/SUBDIVISION PLAN.**

The foregoing Resolution was made and moved by William Young and seconded by Michael Mandel and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; William Young, aye; John Foody, aye; Robert Dell, aye; Jeffrey Golda, aye and Michael Mandel, 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: October 10, 2012
Town of Orangetown Planning Board
