

0-3-A-14, 3/25/14

**AFFIDAVIT OF PUBLICATION**

FROM

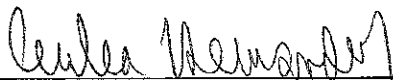
**The Journal News**

CECILIA HERNANDEZ

being duly sworn says that he/she is the principal clerk of The Journal News, a newspaper published in the County of Westchester and State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper area(s) on the date(s) below:

Note: the code to the left of the run dates indicates the zone(s) that the ad was published. (See legend below)

**ZONE**  
RK                      **DATE**  
                                 03/10/2014

Signed 

Sworn to before me  
I 12th day of March 20 14

  
Notary Public  
LOLA M. HALL  
Notary Public, State of New York  
No. 01HA6112693  
Qualified in Westchester County  
Commission Expires July 6, 2016

- Legend:
- Northern Area (AN): Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolndale, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson
  - Central Area (AC): Ardsley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains
  - Southern Area (AS): Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers
  - Greater Westchester (GW or LGW): Includes Northern area, Southern area and Central area. (See details below each area)
  - Westchester Rockland (WR): Includes Greater Westchester area and Rockland area.
  - Rockland Area (A5,AR and RK): Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack
  - Express (XPWR): Amawalk, Ardsley, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Cortlandt Manor, Cross River, Croton-on-Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Harrison, Hartsdale, Hastings, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Mahopac, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdy's, Putnam Valley, Rye, Scarsdale, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Waccabuc, White Plains, Yorktown Heights, Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack, Mt.Vernon, Yonkers

**TOWN**

Ad Number      Size      Start Date      End Date  
3565923          36      3/10/2014      03/10/2014

Run dates: 03/10

**Ad Text:**

NOTICE OF PUBLIC HEARING  
ORANGETOWN  
SEWER DISTRICT  
NOTICE IS HEREBY GIVEN  
that the Town Board of the  
Town of Orangetown, Rock-  
land County, New York, will  
meet at the Town Hall, in  
Orangetown, New York, on  
March 25, 2014, at 8:10  
o'clock P.M., Prevailing  
Time, for the purpose of  
conducting a public hearing  
upon the increase and im-  
provement of the Orange-  
town Sewer District, in said  
Town, consisting of sewer  
re-lining, sewer replace-  
ment, sludge press im-  
provements, demolition of a  
pump station and renova-  
tions to a pump station, at a  
maximum estimated cost of  
\$2,225,000.  
At said public hearing said  
Town Board will hear all  
persons interested in the  
subject matter thereof.  
Dated:  
Orangetown, New York,  
March 4, 2014.  
BY ORDER OF THE TOWN  
BOARD OF THE TOWN OF  
ORANGETOWN, ROCKLAND  
COUNTY, NEW YORK  
Charlotte Madigan  
Town Clerk

43339-2-26

At a regular meeting of the Town Board of the Town of Orangetown, Rockland County, New York, held at the Town Hall, in Orangeburg, New York on March 4, 2014, at 7:30 o'clock P.M., Prevailing Time.

PRESENT:

Andrew Stewart

Supervisor

Denis Troy

Councilman

Thomas Diviny

Councilman

Thomas Morr

Councilman

Paul Valentine

Councilman

In the Matter of The Increase and Improvement of the Facilities of the Orangetown Sewer District, in the Town of Orangetown, Rockland County, New York	ORDER CALLING PUBLIC HEARING
--	---------------------------------------

WHEREAS, the Town Board of the Town of Orangetown, Rockland County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Orangetown Sewer District, in the Town of Orangetown, Rockland County, New York, consisting of sewer re-lining, sewer replacement, sludge press improvements, demolition of a pump station and renovations to a pump station, at a maximum estimated cost of \$2,225,000; and

WHEREAS, after a public hearing thereon the Town Board approved the project and authorized financing thereof:

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the Orangetown Sewer District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, in Orangeburg, New York, in said Town, on March 25, 2014, at 8:05 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the Orangetown Sewer District, in the Town of Orangetown, Rockland County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

<u>Councilman Diviny</u>	VOTING	<u>aye</u>
<u>Councilman Troy</u>	VOTING	<u>aye</u>
<u>Councilman Morr</u>	VOTING	<u>aye</u>
<u>Councilman Valentine</u>	VOTING	<u>aye</u>
<u>Supervisor Stewart</u>	VOTING	<u>aye</u>

The order was thereupon declared duly adopted.

\* \* \* \* \*

CERTIFICATION FORM

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF ROCKLAND )

I, the undersigned Clerk of the Town of Orangetown in the County of Rockland, New York (the "Issuer"), DO HEREBY CERTIFY:

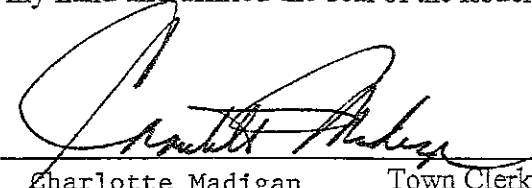
- 1. That a meeting of the Issuer was duly called, held and conducted on the 4th day of March, 2014.
- 2. That such meeting was a special regular (circle one) meeting.
- 3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 5. That all members of the Board of the Issuer had due notice of said meeting.
- 6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given PRIOR THERETO in the following manner:

**PUBLICATION** (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

**POSTING** (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

Town's Website - 1/14/14 RTBM minutes

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 4th day of March, 2014.

  
Charlotte Madigan Town Clerk

(CORPORATE SEAL)

Exhibit A

NOTICE OF PUBLIC HEARING  
ORANGETOWN SEWER DISTRICT

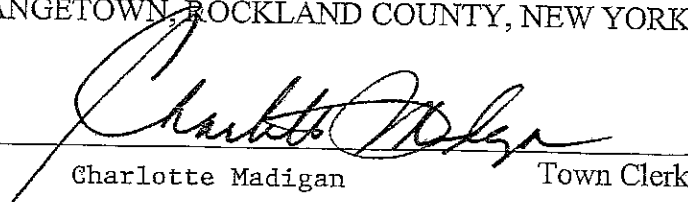
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Orangetown, Rockland County, New York, will meet at the Town Hall, in Orangetown, New York, on March 25, 2014, at 8:05 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the increase and improvement of the Orangetown Sewer District, in said Town, consisting of sewer re-lining, sewer replacement, sludge press improvements, demolition of a pump station and renovations to a pump station, at a maximum estimated cost of \$2,225,000.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Orangetown, New York,

March 4, 2014.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF  
ORANGETOWN, ROCKLAND COUNTY, NEW YORK

  
Charlotte Madigan

Town Clerk

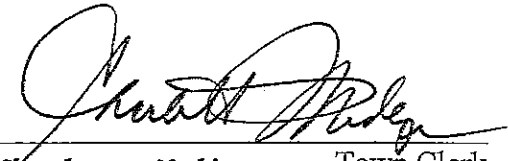
**AFFIDAVIT OF POSTING**

STATE OF NEW YORK            )  
  ) ss.:  
COUNTY OF ROCKLAND        )

I, the undersigned Clerk of the Town of Orangetown, Rockland County, New York,  
DEPOSE AND SAY:

That on the 5<sup>th</sup> day of March, 2014, I caused to be posted on the official signboard  
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of Public  
Hearing which was a part of an Order adopted by the Town Board of said Town on March 4,  
2014.

A true and correct copy of such Notice of Hearing is attached hereto.

  
Charlotte Madigan      Town Clerk

Sworn to before me this 5 day  
of March, 2014.

  
Notary Public

DONNA A. MORRISON  
Notary Public, State of New York  
No. 01MO5081099  
Qualified in Rockland County  
Commission Expires June 30, 2015



NOTICE OF POSTING: NOTICE OF PUBLIC HEARING: CHAPTER 43 ZONING - ADDING "INDIVIDUAL FITNESS & TRAINING CTR AS A CONDIDIONAL USE IN LIO ZONING DISTRICT.

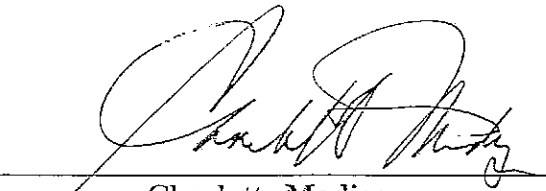
STATE OF NEW YORK }  
COUNTY OF ROCKLAND } SS.  
TOWN OF ORANGETOWN }

Charlotte Madigan being duly sworn upon her oath, deposes and says;

That, she is, at all times hereinafter mentioned was, duly elected, Qualified and acting Town Clerk of the *TOWN Of ORANGETOWN*, in the County of Rockland, State of New York.

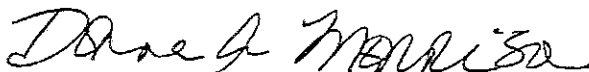
That, on the 17th day of March 2014, she caused to be conspicuously posted and fastened up a notice, a true copy of which is annexed hereto and made a part of hereof, in the following places, at least one of which is a public place within the *TOWN Of ORANGETOWN*, New York.

1. Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.

  
 Charlotte Madigan  
 Town Clerk

Subscribed and sworn to before me

This 17th day of March, 2014



DONNA A. MORRISON  
Notary Public, State of New York  
No. 01MO5081099  
Qualified in Rockland County  
Commission Expires June 30, 2015

**THANKS**

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**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that, pursuant to resolution of the Town Board of the Town of Orangetown, duly adopted on March 4, 2014, a public hearing will be held before the Town Board at the Orangetown Town Hall, 26 Orangeburg Road, Orangeburg, New York 10962, on the 25th day of March, 2014 at 8:20 P.M., to consider amending the Town Code of the Town of Orangetown, Chapter 43, Zoning, by adding "Individual Fitness & Training Center" as a Conditional Use by Planning Board in LIO Zoning District.

A copy of the Petition and supporting materials may be examined by any interested party at the Office of the Town Clerk.

All interested persons will be given an opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: March 4, 2014  
Orangeburg, New York

CHARLOTTE MADIGAN  
Town Clerk  
Town of Orangetown

JOHN S. EDWARDS, ESQ.  
Town Attorney  
Town of Orangetown

# AFFIDAVIT OF PUBLICATION

FROM

## The Journal News

CECILIA HERNANDEZ

being duly sworn says that he/she is the principal clerk of The Journal News, a newspaper published in the County of Westchester and State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper area(s) on the date(s) below:

Note: the code to the left of the run dates indicates the zone(s) that the ad was published. (See legend below)

ZONE                      DATE  
RK                              03/19/2014

Signed Cecilia Hernandez

Sworn to before me

T 20th day of March 20 14

Lola M. Hall  
Notary Public

LOLA M. HALL  
Notary Public, State of New York  
No. 01HA6112693  
Qualified in Westchester County  
Commission Expires July 6, 2016

Legend:

Northern Area (AN):

Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolnville, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson

Central Area (AC):

Ardsley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains

Southern Area (AS):

Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers Greater Westchester (GW or LGW):

Includes Northern area, Southern area and Central area. (See details below each area)

Westchester Rockland (WR):

Includes Greater Westchester area and Rockland area.

Rockland Area (A5, AR and RK):

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Sp Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Co, West Haverstraw, West Nyack

Express (XPWR):

Amawalk, Ardsley, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Cortlandt Manor, Cross River, Croton-on-Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Harrison, Hartsdale, Hastings, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Mahopac, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdy's, Putnam Valley, Rye, Scarsdale, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Waccabuc, White Plains, Yorktown Heights, Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack, Mt. Vernon, Yonkers

AD# 3567545

Ad Number	Size	Start Date	End Date
3567545	36	3/19/2014	03/19/2014

Run dates: 03/19

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**Ad Text:**

NOTICE OF PUBLIC HEARING  
NOTICE IS HEREBY GIVEN  
that, pursuant to resolution  
of the Town Board of the  
Town of Orangetown, duly  
adopted on March 4, 2014, a  
public hearing will be held  
before the Town Board at  
the Orangetown Town Hall,  
26 Orangeburg Road, Or-  
angeburg, New York 10962,  
on the 25th day of March,  
2014 at 8:20 P.M., to consid-  
er amending the Town Code  
of the Town of Orangetown,  
Chapter 43, Zoning, by ad-  
ding "Individual Fitness &  
Training Center" as a Condi-  
tional Use by Planning Board  
in LIO Zoning District.  
A copy of the Petition and  
supporting materials may  
be examined by any inter-  
ested party at the Office of  
the Town Clerk.  
All interested persons will  
be given an opportunity to  
be heard.  
By order of the Town Board  
of the Town of Orangetown.  
Dated: March 4, 2014  
Orangeburg, New York  
CHARLOTTE MADIGAN  
Town Clerk  
JOHN S. EDWARDS, ESQ.  
Town Attorney  
Town of Orangetown



TOWN OF ORANGETOWN

2014 MAR 12 AM 10 09

**COUNTY OF ROCKLAND**  
DEPARTMENT OF PLANNING TOWN CLERKS OFFICE

Building T  
Pomona, NY 10970  
(845) 364-3434  
Fax: (845) 364-3435

EDWIN J. DAY  
County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

March 10, 2014

ARLENE R. MILLER  
Deputy Commissioner

Orangetown Town Board  
26 Orangeburg Road  
Orangeburg, NY 10962

Tax Data: 76.08-1-4      76.08-1-3

Re: **GENERAL MUNICIPAL LAW REVIEW:** Section 239 L and M

Map Date: 8/5/2013

Date Review Received: 2/10/2014

Item: **COLUMCILLE PROPERTIES (O-1891G)**

Zoning code amendment to allow "fitness and physical training center" as a conditional use in the LIO zoning district.

Throughout the Town - a specific property is the impetus for this zoning code amendment, and is located on the east side of Blaisdell Road, the north side of the New York/New Jersey border, approximately 545 feet south of Ramland Road

**Reason for Referral:**

Blaisdell Road (CR 17), Borough of Old Tappan, NJ, Army Corps of Engineers wetlands

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

***\*Recommend the following modifications***

- 1 This zoning code amendment appears to be written to accommodate one specific project proposed on Blaisdell Road. By changing the zoning ordinance, all properties within the LIO zoning district will also be affected by the new conditional use. The Town must review all locations to ascertain that the new use and regulations are appropriate in all LIO-zoned properties.

DIST: TB, TA, JB Building, JD Highway, JM DEME

## COLUMCILLE PROPERTIES (O-1891G)

2 The specific parcels that are the impetus for the zoning code amendment are located on the border with the Borough of Old Tappan, New Jersey, and are adjacent to single-family residential uses. One of the changes being proposed to the zoning ordinance is to eliminate the added buffer requirement when adjacent to a residential district. In addition, the required side yard has been reduced from 100 feet to 50 feet. The proposed site plan layout for the new use depicts the new building in the southwestern most portion of the site, right on the setback lines, so is only a minimum of 50 feet from the adjacent residential use. In addition, the parking is located within the yards, and is no more than ten feet from the property line. Ironically, part of the proposed zoning code amendment text states "in order to protect neighboring properties from intrusive noise and light...limitations should be placed on the outdoor portion." In addition, the text also states "To the south, in New Jersey, is a large residential area; however, the site can be configured to mitigate impacts on these residences." Locating the parking in very close proximity to the adjacent residential use does not seem to be mitigating the impacts to these residences.

The amendments to the code are being written so that the proposed use can be accommodated on these two parcels. The building being proposed is a commercial use, has a large and high wall area, and requires accessory parking. The wetland site constrictions are dictating the location of the parking and building, which are being placed as close as possible to the abutting residential use. Reducing both the yard and the buffer requirements when the site is adjacent to a residential area, do not seem to protect the neighboring properties. Instead, it is more usual for buffer areas to be increased or enhanced when adjacent to residential uses. The proposed zoning code amendments must be changed so that at a minimum, the required side and rear yards, when adjacent to a residential uses, are enhanced with evergreen landscaping that can act as a visual and noise barrier. In addition, the zoning code amendment must require that all parking areas be kept out of the required yards when adjacent to a residential use or zoning district.

3 In the previous site plan review, it was indicated that there would be an Astroturf athletic field. At that time, we raised concerns about parking. The parking standards proposed are minimal for the type of use. If a team sport such as rugby, football, or lacrosse are using the field, then is adequate parking being provided? In order for team sports to be played, even if the players will arrive by buses, the spectators will be driving to the field to watch the sport, and will require parking as well. Overflow parking along the County highway is not acceptable. The specific goal of the outdoor field must be clarified, and the Town Board must review the parking standards to ensure that adequate parking can be provided for all of the proposed uses.

4 As indicated above, reducing the yard setback and eliminating the buffer requirement when adjacent to a residential zone or use, is an issue. To further compound the impact to the residential use to the south, the proposed parking lot is directly facing south. Headlights from parked vehicles will be shining directly into the residential use, especially if no landscaping is provided. In addition, the proposed dumpster is located on this south side as well, and will result in garbage truck noise impacting the residential use. The zoning code amendment must require an increased side or rear yard, require an additional buffer, and require either a berm or a evergreen landscaping when parking lots are facing the residential zones/uses. This will help to reduce the impacts of the commercial development, and shield the headlights and associated noise to the adjacent residential uses. Lastly, the zoning code must state that dumpster locations be located as far from the residential uses as possible so to mitigate the noise impacts.

5 A review of the proposed zoning code amendment must be completed by the County of Rockland Department of Highways and any comments or concerns addressed.

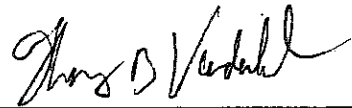
**COLUMCILLE PROPERTIES (O-1891G)**

TOWN OF ORANGETOWN  
JUL 13 10 09 AM  
TOWN CLERKS OFFICE

6 The Borough of Old Tappan, New Jersey is one of the reasons this proposal was referred to this department for review. The municipal boundary is directly adjacent to the site to the south. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas.

In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner that is supportive of the goals and objectives of the general area.

The Borough of Old Tappan, NJ must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Borough of Old Tappan must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.



Thomas B. Vanderbeek, P.E.  
Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Department of Highways  
United States Army Corps of Engineers  
Sparaco & Youngblood, PLLC  
Borough of Old Tappan, NJ

*\*NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

*The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.*

*In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.*

*Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.*

**PLANNING BOARD  
TOWN OF ORANGETOWN**

TO: Town of Orangetown Town Board  
FROM: Town of Orangetown Planning Board *W*  
DATE: January 16, 2014  
RE: Referral from the Town Board: Proposed Text; Amendment to  
"Individual Fitness and Training Center" as a Conditional Use in the  
LIO zoning district  
Tax Map Designation: Section 76.08, Block 1, Lots 3 & 4

At the January 15, 2014 Planning Board Meeting, the Planning Board offered the following recommendation to the Town Board:

**RECOMMENDATION:** The Board found that the area selected for the amendment of "Individual Fitness and Training Center" was an appropriate use of that location. The Board added that some of the proposed conditions to the Zoning Code Amendment, seem to be for this particular user, and may not be appropriate to all sites.

TOWN OF ORANGETOWN  
2014 MAR 3 PM 10 18  
TOWN CLERKS OFFICE

*DIST. TB, TA, JG, JD, JM*



**PLANNING BOARD  
TOWN OF ORANGETOWN**

TO: Town of Orangetown Town Board

FROM: Town of Orangetown Planning Board<sup>cc</sup>

DATE: February 27, 2014

RE: February 6, 2014 Referral from the Town Board: Amending the Zoning Code to Allow Physical Fitness Studios in the LIO zoning district  
Tax Map Designation: Section 76.08, Block 1, Lots 3 & 4

At the February 26, 2014 Planning Board Meeting, the Planning Board offered the following recommendation to the Town Board:

**RECOMMENDATION:** The Board found that they had no objection to the proposed zone change as proposed. The Board reconfirmed it's prior recommendation of January 16, 2014, noting that the area selected for the amendment of "Individual Fitness and Training Center" was an appropriate use of that location.

TOWN OF ORANGETOWN  
2014 MAR 3 AM 10 18  
TOWN CLERKS OFFICE

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