

NOTICE OF POSTING: NOTICE OF PUBLIC HEARING - AMENDING THE TOWN CODE, CHAPTER 43,  
ZONING, SECTION 2.2-ZONING MAP

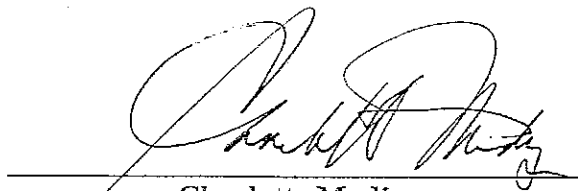
STATE OF NEW YORK        }  
COUNTY OF ROCKLAND    }                    SS.  
TOWN OF ORANGETOWN    }

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.

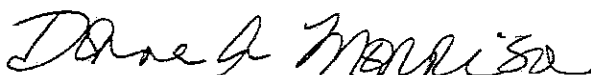
That, on the 23rd day of APRIL  
2014, she caused to be conspicuously posted and fastened up a notice, a true copy of  
which is annexed hereto and made a part of hereof, in the following places, at least one of  
which is a public place within the *TOWN Of ORANGETOWN*, New York.

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

  
Charlotte Madigan  
Town Clerk

Subscribed and sworn to before me

This 23rd day of April, 2014



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

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that, pursuant to Section 130 of the Town Law of the State of New York, and pursuant to resolution of the Town Board of the Town of Orangetown, adopted April 22, 2014, a public hearing will be held by the Town Board of the Town of Orangetown at the Orangetown Town Hall, 26 Orangetown Road, Orangetown, New York 10962, on the 6th day of May, 2014, at 8:00 P.M., to consider a proposed Local Law amending the Town Code of the Town of Orangetown, Chapter 43, entitled "Zoning", Section 2.2, entitled "Zoning Map".

The purpose of the proposed Local Law is to change the zoning district of certain properties in the Hamlet of Pearl River.

A copy of the proposed Local Law 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: April 22, 2014  
Orangetown, New York

**CHARLOTTE MADIGAN**  
Town Clerk

**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**  
RK                      **DATE**  
                                 04/23/2014

Signed Cecilia Hernandez

Sworn to before me  
on 28 day of April 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, 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

**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# 3574912

| Ad Number | Size | Start Date | End Date   | Run dates: | Ad Text:                 |
|-----------|------|------------|------------|------------|--------------------------|
| 3574912   | 42   | 4/23/2014  | 04/23/2014 | 04/23      | NOTICE OF PUBLIC HEARING |

NOTICE IS HEREBY GIVEN that, pursuant to Section 130 of the Town Law of the State of New York, and pursuant to resolution of the Town Board of the Town of Orangetown, adopted April 22, 2014, a public hearing will be held by the Town Board of the Town of Orangetown at the Orangetown Town Hall, 26 Orangeburg Road, Orangetown, New York 10962, on the 5th day of May, 2014, at 8:00 P.M., to consider a proposed Local Law amending the Town Code of the Town of Orangetown, Chapter 43, entitled "Zoning", Section 2.2, entitled "Zoning Map". The purpose of the proposed Local Law is to change the zoning district of certain properties in the Hamlet of Pearl River. A copy of the proposed Local Law 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. Date: April 22, 2014  
Orangetown, New York  
CHARLOTTE MADIGAN  
Town Clerk  
JOHN S. EDWARDS, ESQ.  
Town Attorney  
Town of Orangetown

OFFICE OF THE TOWN ATTORNEY  
TOWN OF ORANGETOWN

TOWN OF ORANGETOWN  
TOWN HALL  
ORANGETOWN, NY 10962

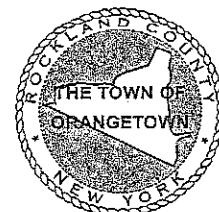
2014 APR 22 AM 10 05

TOWN CLERKS OFFICE

RECEIVED

APR 18 2014

DEPT. OF PLANNING



TELEPHONE  
(845) 359-5100  
FAX  
(845) 359-2715

JOHN S. EDWARDS  
TOWN ATTORNEY

TERESA M. KENNY  
FIRST DEPUTY TOWN ATTORNEY

April 16, 2014

**Lead Agency Coordination Letter From The Town of Orangetown,  
With Request for Expedited Response**

**Re: Proposed Zone Change Lead Agency Coordination Letter / "CC" and "MRF" to  
"RG"**

**155-156 Braunsdorf Road and 166 Hunt Road, Pearl River**

Dear Sir or Madam:

The Town Board of the Town of Orangetown, Rockland County, New York is hereby notifying you that, at its meeting held on the 4<sup>th</sup> day of March 2014, the Town Board adopted a resolution in connection with a proposed action, *to wit*, a proposed change to the Town Zoning Law, changing the zoning classification for the above three parcels from "CC" or "MFR" as the case may be to "RG" (i) declaring its intention to act as Lead Agency under SEQRA; (ii) making the preliminary determination that the action is an "unlisted" action under SEQRA; (iii) directing that a SEQRA Coordination letter be circulated to all potential Involved or Interested Agencies; and (iv) directing that the matter be circulated to the County Planning Department for GML review and to the Town Planning Board for its review and recommendation under the Town Code.

The three parcels are already developed as single family residential, and are adjacent to an existing "RG" zoning district.

Per the Town Board's resolution, the proposed action was previously circulated to the County Planning Department and to the County Highway Department for review under GML §§ 239-L and M. By letter dated April 2, the Planning Department determined that the action would have "no adverse impacts on any County-wide interests" and remanded the matter for local determination. The Highway Department, by letter dated April 9, 2014, remanded the matter to the Town Board and other involved agencies for determination.

The Town Planning Board, by Memorandum dated March 26, 2014, recommended that the Town Board take a closer look at the vicinity of the three parcels, suggesting that there may be additional, already developed residential properties not on Middletown Road, but on streets that

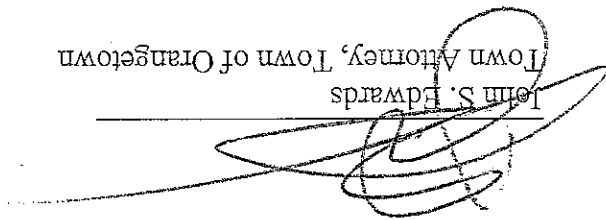
deposit onto Middletown Road, in Pearl River, that perhaps should be included. The Town Board is reviewing that recommendation, and may include those properties.

As stated, the Town Board has made a preliminary determination that the action proposed is subject to review under the State Environmental Quality Review Act ("SEQRA"), and that such action constitutes an "Unlisted" action. The Town Board, by Board resolution, has expressed its intention to serve as Lead Agency for the action and, pursuant to Sections 617.6(b) and (c) of the N.Y.C.R.R., and requests your agreement that it be so designated.

The Town Board further wishes to expedite the designation of the Lead Agency and has enclosed a self-addressed, stamped envelope for your prompt reply. If you agree to the Town Board being designated Lead Agency, please sign the enclosed copy of this letter and return it to the Office of the Supervisor of the Town of Orangetown as soon as possible. If your agency does not submit a written objection within 30 days of the mailing of this notification, the Town Board will assume the role of lead agency for this action.

Enclosed please find a Short Environmental Assessment Form, and other relevant documents and information, including vicinity maps and the referenced earlier reviews.

Very truly yours,

  
John S. Edwards  
Town Attorney, Town of Orangetown

The Rockland County Planning Dept. agrees to the designation of the Town Board of the Town of Orangetown as lead agency for the above-referenced project.

Arlene Miller - Principal Planner  
(Print Name and Title)

Encl.

CC: Andrew Y. Stewart, Supervisor  
Charlotte Madigan, Town Clerk

TO: INVOLVED AND INTERESTED AGENCIES:

Rockland County Department of Planning  
Building T  
50 Saratotium Rd.  
Pomona, New York 10970

Lead Agency Coordination Letter  
April 16, 2014

Page 3

Orangetown Planning Board  
20 Greenbush Road  
Orangeburg, New York 10962

Rockland County Highway Depart.  
23 New Hempstead Road  
New City, New York 10956

**RECEIVED**

**APR 18 2014**

**DEPT. OF PLANNING**



COUNTY OF ROCKLAND  
DEPARTMENT OF PLANNING

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

THOMAS B. VANDERBEEK, P.E.  
Commissioner  
ARLENE R. MILLER  
Deputy Commissioner

EDWIN J. DAY  
County Executive  
April 2, 2014

Orangetown Town Board  
26 Orangetown Road  
Orangetown, NY 10962  
Tax Data: 68.16-5-54  
68.16-5-21  
68.16-5-20

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

Map Date: 2/24/2014  
Date Review Received: 3/6/2014

Item: 155-156 BRAUNSDORF ROAD & 166 HUNT AVENUE ZONE CHANGE (O-2242)

Zone change of three parcels that are in the CC and MFR zoning districts to the RG zoning district. Together these parcels comprise .76 acres. Each parcel contains a single-family residence, which is allowed by right in the RG zoning district, but not the district in which they are currently located. South side of Hunt Avenue, north and south sides of Braunsdorf Road, approximately 380 feet (average) west of N. Middletown Road

Reason for Referral:

North Middletown Road (CR 33)

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:

\*Approve

Since the proposed project will have no adverse impacts on any County-wide interests, this matter is remanded for local determination.

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

RECEIVED

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Department of Highways

APR - 4 2014

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



**155-156 BRAUNSDORF ROAD & 166 HUNT AVENUE ZONE CHANGE (O-2242)**

*\*The proposed action is deemed to have no significant negative impact on nearby municipalities, County or State roads or facilities, County Parks or Drainage Systems or the surrounding Neighborhood Character and, therefore, the ACTION IS FOR LOCAL DETERMINATION. Approval does not necessarily mean we endorse this subject action as desirable from the viewpoint of your municipality.*

*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.*

04-08-'14 09:32 FROM-

T-473 P0001/0001 F-814



**COUNTY OF ROCKLAND  
DEPARTMENT OF HIGHWAYS**

23 New Hempstead Road  
New City, New York 10956  
(845) 638-5060  
Fax (845) 638-5037  
Email: highway@co.rockland.ny.us

**EDWIN J. DAY**  
County Executive

April 9, 2014

Office of the Town Clerk  
Town of Orangetown  
Town Hall  
26 Orangetown Road  
Orangetown, New York 10962

(845) 359-5126 (f)

**Re: Zoning Change to General Residence - Conversion from Commercial to Residential Zone  
155-156 Braunsdorf Rd. & 166 Hunt Ave., Pearl River - Tax ID, [68.16-5-20, 21, 54 etc.]**

We are in receipt of your above-referenced review package along with your letter to our Superintendent on March 5, 2014 for the proposed zoning change concerning this matter. The letter started out addressing to our Commissioner of Planning, Thomas B. Vanderbeek in stead. Based upon the plans and information received, we remand the matter to the Town board and other involved agencies for determination. Please call this office at (845) 638-5060 should you have any questions for the above.

Very truly yours,

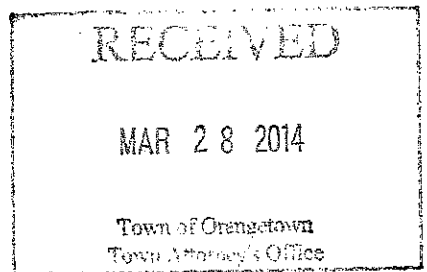
*Charles H. Vezzetti*

Sonny Lin, P.E.  
Rockland County Highway Department  
Cc: Charles H. Vezzetti

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APR - 9 2014  
Town of Orangetown

TOWN OF ORANGETOWN  
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TOWN CLERKS OFFICE  
CHARLES H. VEZZETTI  
Superintendent of Highway

PLANNING BOARD  
TOWN OF ORANGETOWN



TO: Town of Orangetown Town Board  
FROM: Town of Orangetown Planning Board *cc*  
DATE: March 26, 2014  
RE: Referral from the Town Board: Zone Change to General Residence, from CC and MFR to RG zone. The sites are as follows:  
68.16/5/21: 155 Braunsdorf Road – Eichner is CC zone  
68.16/5/20: 166 Hunt Avenue –Scherer is CC zone, and  
68.16/5/54: 156 Braunsdorf Road – DiGiovanni is MFR zone

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

**RECOMMENDATION:** The Board held that the Town Board should take a closer look at the area to be included in the zone change. The Planning Board recommends that the proposed area for the zone change to RG should be expanded to include all residential properties on all Hunt and Bogart Avenues.

TOWN OF ORANGETOWN  
2014 MAR 28 PM 2 28  
TOWN CLERKS OFFICE

