



HOCHERMAN  
TORTORELLA  
& WEKSTEIN LLP

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Geraldine N. Tortorella<sup>(NY, CT)</sup>  
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Noelle C. Wolfson<sup>(NY, CT)</sup>

Henry M. Hocherman, Retired

April 20, 2023

*Via Hand Delivery*

Hon. Rosanna Sfraga, Town Clerk  
Town of Orangetown  
26 W. Orangeburg Road  
Orangeburg, New York 10962

*Re: Petition of FB Orangetown Retail LLC, FB Orangetown Retail Two LLC, FB Orangetown Retail Three LLC, FB Orangetown Hotel LLC, FB Orangetown Hotel Two LLC (the "FB Orangetown Entities") and FB Greenbush LLC for Amendment of the Town of Orangetown Town Code, Section 4.32(O)iii(h) and Application for Amended Special Permit Approval  
Tax Parcels: Section 74.15, Block 1, Lots 21./1, 21./2, 21./3, 21./4, 21./5 and 22*

Dear Ms. Sfraga:

Our firm represents the owners and ground lessee of the above-referenced properties, commonly known as Orangeburg Commons and The Shops at Orangeburg Commons. Enclosed for filing are fifteen (15) copies of a Petition for Zoning Amendment and Amended Special Permit Application for the Concept Plan for the mixed use development and mixed use expansion on the respective properties. We would appreciate having the matters scheduled for discussion and consideration at the Town Board's May 9, 2023 meeting.

If you require additional information or the payment of any fees, kindly let me know. Thank you.

Respectfully submitted,

Hocherman Tortorella & Wekstein, LLP

By:   
Geraldine N. Tortorella

GNT:hc  
Enclosures

cc: Jane Slavin, R.A. Director of the Office of Buildings,  
Zoning, Planning, Administration and Enforcement  
Robert Magrino, Esq., Town Attorney  
Mr. Richard Birdoff  
Alfred Rossi, P.E.  
Mr. Michael Rossi



HOCHERMAN  
TORTORELLA  
& WEKSTEIN LLP

Hon. Rosanna Sfraga, Town Clerk  
April 20, 2023  
Page 2

Mr. Jordan Goldblum  
Chirag V. Thakkar, P.E., LEED AP  
A. Peter Russillo, P.E., PTOE  
Ronald P. Rieman, Project Manager  
Mr. Todd Nagy

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April 20, 2023

*Via Hand Delivery*

Hon. Teresa M. Kenny, Esq., Supervisor  
and Members of the Town Board  
Town of Orangetown  
26 W. Orangeburg Road  
Orangeburg, New York 10962

*Re: Petition of FB Orangetown Retail LLC, FB Orangetown Retail Two LLC, FB Orangetown Retail Three LLC, FB Orangetown Hotel LLC, FB Orangetown Hotel Two LLC (the "FB Orangetown Entities") and FB Greenbush LLC for Amendment of the Town of Orangetown Town Code, Section 4.32(O)iii(h) and Application for Amended Special Permit Approval  
Tax Parcels: Section 74.15, Block 1, Lots 21./1, 21./2, 21./3, 21./4, 21./5 and 22*

Dear Supervisor Kenny and Members of the Town Board:

Our firm represents the FB Orangetown Entities, owners of the five condominium units commonly known as Orangeburg Commons, which is located at the southwest corner of the intersection of Route 303 and Stevens Way ("Orangeburg Commons" or the "Property") and FB Greenbush LLC, Ground Lessee of property on the south end of the Greenbush Road cul-de-sac ("The Shops Parcel"). (Hereinafter, The FB Orangetown Entities and FB Greenbush LLC are collectively referred to as the "Applicants".) Orangeburg Commons is developed as a Mixed Use Development pursuant to Section 4.32(O) of the Town of Orangetown Town Code ("Town Code"); The Shops Parcel is approved for development as a Mixed Use Expansion pursuant to Section 4.32(P) of the Code. Your Board granted special permits, and the Planning Board granted site plan approvals, for a food market, two hotels, a "traditional" restaurant and a bank with a drive through on the Property and for retail and restaurant space on The Shops Parcel. As you know, the Stop & Shop Supermarket and Residence Inn Hotel have been operating on the Property for several years.<sup>1</sup>

A Mixed Use Development was first approved on the Property in 2006 and the site plan originally included, among other improvements, pads for retail buildings, a restaurant and a bank building with drive-through services. The FB Orangetown Entities obtained amended approvals for the project to permit the Stop & Shop food store, which has been a successful addition to the Property. It has been more than a decade since the Residence Inn and Stop & Shop were constructed. Despite diligent efforts to find tenants for the restaurant and bank pads, such uses have not been attracted to the Property.<sup>2</sup> Recently, Chipotle has expressed a serious

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<sup>1</sup> In February 2020, your Board granted amended special permit approval for a dual-brand hotel on the Property, but the pandemic intervened and amended site plan approval for the project was never sought. The child day care project once proposed on The Shops Parcel never received final approval. Therefore, the Concept Plan is based on the last-approved site plans, which include the second hotel and The Shops on their respective parcels.

<sup>2</sup> As you may recall, the Property was in the Brownfield Cleanup Program and all site remediation was fully completed before any buildings were built.

Hon. Teresa M. Kenny, Esq., Supervisor  
and Members of the Town Board  
April 20, 2023  
Page 2

commitment to establishing and operating one of its restaurants on the Property. However, according to Building Inspector Jane Slavin, R.A., the Chipotle Restaurant is not permitted on the Property under current regulations.

By this submission, the Applicants petition your Board for (i) an amendment to Section 4.32(O)iii(h) of the Town Code to permit all restaurant types in Mixed Use Developments and Mixed Use Expansions and (ii) Amended Special Permit approval to use the two commercial pads (three tenant spaces) on the eastern side of the Property for a Chipotle Restaurant with a drive-through (“Tenant-B”) and a mix of restaurant, retail and/or personal service uses. In addition, the use of the approximately 18,304 SF commercial building on The Shops Parcel is proposed to be limited to retail use.<sup>3</sup>

Enclosed are fifteen (15) copies of the following documents in support of these requests:

1. Petition for Amendment of the Town Code, signed by Richard Birdoff, Managing Member of the FB Orangetown Entities and FB Greenbush LLC;
2. Concept Plan, prepared by Bhatt Thakkar Engineering, DPC, Drawing Nos. CP16 and CP-16A, dated April 5, 2023 and last revised April 12, 2023;
3. Renderings, Elevations and Lease Outline Drawing Site Plan for Chipotle, the abutting tenant space and the tenant space on the north pad, prepared by Onyx Creative, dated April 18, 2023;<sup>4</sup> and
4. Full Environmental Assessment Form signed by Alfred Róssi, to which are attached a Trip Generation Analysis prepared by Colliers Engineering, dated April 14, 2023, an amended Fiscal Impact Analysis, and a Sewer and Stormwater Statement prepared by Bhatt Thakkar Engineering, DPC., dated April 18, 2023.<sup>5</sup>

Also enclosed is one copy of an Entity Disclosure Statement for the FB Orangetown Entities and FB Greenbush LLC.<sup>6</sup>

As shown on the Concept Plan, the Chipotle Restaurant (“Tenant-B,” 2,435 SF) is proposed on a part of the “southern” commercial pad previously approved for an approximately 5,167 SF traditional restaurant. The balance of the southern pad is proposed to be improved with an approximately 2,054 SF space for a “traditional” restaurant, retail or personal service use (“Tenant-C”) and 187 SF of landlord utility room and corridor. The “northern” pad is proposed to be developed with an approximately 2,556 SF building that could be used for all restaurant types or a retail or personal service use. Together, Tenants A, B and C total in the aggregate 1,604 SF less than the two buildings previously approved by this Board and the Planning Board on the two pads.

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<sup>3</sup> The Shops approval included up to 5,000 SF. for restaurant use.

<sup>4</sup> Items 2 and 3 are provided to inform your Members how the Chipotle Restaurant and other commercial uses would be situated, function and appear on the Property and relate to the existing and approved uses. We recognize that following favorable action by your Board on these applications, we must also obtain amended approvals from the Planning Board and the Architecture and Community Appearance Board of Review.

<sup>5</sup> The Full Environmental Assessment Form has been prepared as if the amendment has been granted and the site is developed for a Chipotle Restaurant, a “traditional” restaurant/retail/personal service use and a restaurant/retail/personal service use with a drive through.

<sup>6</sup> At the appropriate time before the public hearing, we will provide the Board with stamped, addressed envelopes for the public hearing notices.

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and Members of the Town Board  
April 20, 2023  
Page 3

We believe the proposed amendment is consistent with the purposes and objective of the Mixed Use Development regulations, which “are to facilitate the development of a plan for a large-scale site development that combines several economically viable, nonresidential uses, planned as an integrated whole. The site plan shall provide for adequate vehicular and pedestrian access, traffic circulation, parking and loading for each individual use. The site and building designs shall recognize the importance of the interchange location and the proximity to Palisades Interstate Parkway, and shall provide sufficient landscaping, buffers and other design treatments in recognition of said location.” Town Code Section 4.32(O)ii(b). Orangeburg Commons will continue to be “a large-scale site development that combines several economically viable, nonresidential uses, planned an integrated whole.” The Chipotle Restaurant represents a substantial investment in the Property, will expand food options in the vicinity of the Route 303 corridor and on-site and will support the existing hotel which has no food service for its guests, all in furtherance of the economic success of the Center.

Review of the Environmental Assessment Form (“EAF”), Concept Plan and zoning data table (on the Concept Plan) demonstrates that the amendment and resulting potential mix of uses will not adversely affect vehicle and pedestrian access, traffic circulation, parking or loading. According to the Trip Generation Analysis performed by Colliers’ Engineering (formerly Maser Consulting, formerly John Collins Engineers), the newly proposed mix of uses is not expected to have an adverse impact on the operation of surrounding roadways or internal driveways. While a net increase in Weekday Peak PM Hour and Saturday Peak hour trips is expected (20 and 84 trips, respectively), the surrounding intersections and road network can absorb the additional trips without any adverse effect. This is due, in part, to the fact that the actual number of trips generated by the Stop & Shop and Residence Inn is considerably less than was projected for the food market and hotel in the original traffic study. According to traffic counts recently collected on the Applicant’s behalf on Tuesday, March 28, 2023 and Saturday, March 25, 2023, the number of trips actually generated during the Weekday Peak PM hour is approximately 41% less than was originally projected for the approved, existing food market and hotel (383 actual trips vs. 647 projected trips) during the Weekday Peak PM hour and the number generated during the Saturday Peak hour period is approximately 58.5% less than was projected (284 actual trips vs. 684 projected trips). Thus, Colliers concludes, “the current development plan is not anticipated to have a significant impact on the area roadways.” (The Colliers Trip Generation Analysis is annexed to the EAF.)

Colliers further notes that the number of cars accommodated in the drive-through queues provided for Chipotle (i.e. Tenant-B) (11 vehicles) and Tenant-A (9 vehicles) is commensurate with the rates of use published in the Institute of Transportation Engineers (ITE) Transportation and Land Development Handbook.

As the zoning table indicates, the proposed mix of uses requires 700 parking spaces; 701 spaces are provided, which include 89 spaces proposed to be landbanked until such time as they are needed (if ever). The existing and proposed uses will comply with all area, dimensional and other requirements applicable to Mixed Use and Mixed Use Expansion developments.<sup>7</sup>

At the time Orangeburg Commons was undergoing its original review, considerable attention was devoted to landscaping, buffers, lighting, signage and other design considerations because of the development’s proximity to the Palisades Interstate Parkway. Controls related to those considerations were incorporated into the site design,

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<sup>7</sup> An attachment to the EAF also addresses the capacity of existing utilities and stormwater management facilities and systems to meet the needs of the proposed mix of uses.

Hon. Teresa M. Kenny, Esq., Supervisor  
and Members of the Town Board  
April 20, 2023  
Page 4

have been implemented and have been maintained throughout subsequent reviews of Orangeburg Commons and the related Shops Mixed Use Expansion next door. No material change to such conditions will be required to develop the proposed mix of uses shown on the amended Concept Plan.

The proposed amendment to permit all restaurant types in Orangeburg Commons is also consistent with and will promote the policies for development in the Route 303 Corridor, which discourage large scale retail development in the Route 303 Corridor (Comprehensive Plan, pages iv-19-20), encourage upscale development such as hotel and conference uses (Comprehensive Plan, page iv-6) and favor buffers to the Palisades Interstate Parkway (Comprehensive Plan, page iv-21). Development on the Property has been stagnant for several years. We hope that the investment required to bring Chipotle to the Property will stimulate other activity on the Property (and, by extension, The Shops Parcel), such as construction of the approved dual brand hotel and other restaurant, retail and/or personal service uses, so that the Town Board's vision for the Mixed Use Development in the Route 303 Corridor can be fully realized.

Kindly schedule this matter for discussion at the Board's May 9, 2023 meeting, at which time we would like to make a presentation of the proposed amended Concept Plan and have your Board refer the Petition and Amended Special Permit application to the required agencies, declare the Board's intent to be lead agency of the environmental review under SEQRA, circulate the FEAF to the involved agencies and schedule a public hearing.

Respectfully submitted,

Hocherman Tortorella & Wekstein, LLP

By:   
Geraldine N. Tortorella

GNT:hc

Enclosures

cc: *(via electronic mail with enclosures)*  
Jane Slavin, R.A. Director of the Office of Buildings,  
Zoning, Planning, Administration and Enforcement  
Robert Magrino, Esq., Town Attorney  
Mr. Richard Birdoff  
Alfred Rossi, P.E.  
Mr. Michael Rossi  
Mr. Jordan Goldblum  
Chirag V. Thakkar, P.E., LEED AP  
A. Peter Russillo, P.E., PTOE  
Ronald P. Rieman, Project Manager  
Mr. Todd Nagy

STATE OF NEW YORK  
TOWN OF ORANGETOWN TOWN BOARD

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Petition of  
FB GREENBUSH LLC,  
FB ORANGETOWN RETAIL LLC,  
FB ORANGETOWN RETAIL TWO LLC,  
FB ORANGETOWN RETAIL THREE LLC,  
FB ORANGETOWN HOTEL TWO LLC, and  
FB ORANGETOWN HOTEL LLC

**ZONING  
PETITION**

to amend Chapter 43, Zoning, of the Code of the Town  
of Orangetown to add “Fast-Food Restaurants”  
(i.e. “Restaurant, Fast Food”) to the list  
of uses permitted in “Mixed Use Developments”  
and, by extension, “Mixed Use Expansions”

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**WHEREAS**, FB ORANGETOWN RETAIL LLC, FB ORANGETOWN RETAIL TWO LLC, FB ORANGETOWN RETAIL THREE LLC, FB ORANGETOWN HOTEL TWO LLC, FB ORANGETOWN HOTEL LLC (collectively, the “FB Orangetown Entities”) are the owners of the five condominium units commonly known as Orangeburg Commons, which is approved as a Mixed Use Development pursuant to Section 4.32(O) of the Town of Orangetown Zoning Ordinance (Chapter 43 of the Town of Orangetown Code), designated on the Town of Orangetown Tax Map as Section 74.15, Block 1, Lots 21./1, 21./2, 21./3, 21./4, and 21./5, and located in the LI Zoning District (collectively, the “Commons Parcel”); and

**WHEREAS**, FB GREENBUSH LLC (“FB Greenbush”) is the ground lessee of an approximately .98-acre parcel of real property in the Town of Orangetown, designated on the Town of Orangetown Tax Map as Section 74.15, Block 1, Lot 22, which is approved as a Mixed Use Expansion pursuant to Section 4.32(P) of the Town of Orangetown Zoning Ordinance (Chapter 43 of the Town of Orangetown Code) and is located in the LI Zoning District (the “Shops Parcel”)(FB

Greenbush LLC and the FB Orangetown Entities, collectively, “Petitioners”); and

**WHEREAS**, the Commons Parcel and the Shops Parcel have been approved for development as a single, functionally-integrated commercial center sharing certain facilities and infrastructure; and

**WHEREAS**, the purpose of the Mixed Use Development is to “facilitate the development of a plan for a large-scale site development that combines several economically viable, nonresidential uses planned as an integrated whole,” with the proposed mix of uses being subject to review and approval by your Town Board pursuant to Sections 4.32(O)(ii), (iv) of the Town’s Code; and

**WHEREAS**, at present “Restaurant” as that term is defined in Section 11.2 of the Town’s Code is a permitted use in Mixed Use Developments or, by extension, a Mixed Use Expansion, but “Restaurant, Fast Food”, also defined in Town Code Section 11.2, is not; and

**WHEREAS**, the approved plan for the Commons Parcel and the Shops Parcel includes the development of restaurant, retail and bank uses; and

**WHEREAS**, despite Petitioners’ best efforts to lease the smaller commercial locations on the Commons Parcel and the Shops Parcel for several years, they remain undeveloped for want of suitable tenants for the permitted uses; and

**WHEREAS**, Petitioners have received inquiries from fast casual restaurants interested in establishing their business on the Commons Parcel; and

**WHEREAS**, the Town Code contains only two classes of restaurants – “Restaurant” and “Restaurant, Fast Food” (also referred to as “fast-food restaurants” in the Town Code); and

**WHEREAS**, fast casual restaurants technically fall within the broad definition of



“Restaurant, Fast Food” in Section 11.2 of the Town Code; and

**WHEREAS**, in light of the above-described circumstances, Petitioners hereby respectfully request that your Board amend Section 4.32(O)(iii) (Mixed Use Developments; Permitted Uses) to include “fast-food restaurants”; and

**WHEREAS**, expanding the list of permitted uses as proposed will provide Petitioners with greater flexibility to obtain suitable tenants for their properties and is consistent with the stated goal of the Mixed Use Development regulations to facilitate the full development of a non-residential large scale project that combines several economically viable uses. *See* Town Code §4.32(O)(ii)(b).

**NOW, THEREFORE**, Petitioners hereby petition the Town Board of the Town of Orangetown to amend Section 4.32(O)(iii) of the Town of Orangetown Zoning Ordinance as follows:

**DELETE THE EXISTING TEXT OF SECTION 4.32(O)(iii)(h) AND REPLACE IT WITH THE FOLLOWING TEXT:**

(h) Restaurants, including fast-food restaurants (*see* “Restaurant, Fast Food” in Section 11.2), subject to the standards of Section 4.32(O). (The provisions of Section 8.13 of the Town Code shall not apply to fast-food restaurants under this Section 4.32(O)(iii)(h).)

Dated: New York, New York  
March 30, 2023

[Signature Page Follows]

FB ORANGETOWN RETAIL LLC

By:   
Richard Birdoff, Manager

FB ORANGETOWN RETAIL TWO LLC

By:   
Richard Birdoff, Manager

FB ORANGETOWN RETAIL THREE LLC

By:   
Richard Birdoff, Manager

FB ORANGETOWN HOTEL TWO LLC

By:   
Richard Birdoff, Manager

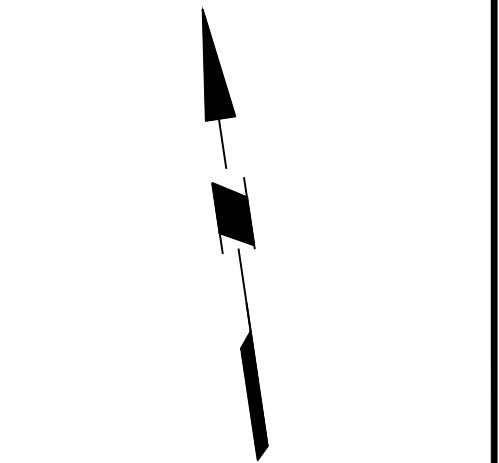
FB ORANGETOWN HOTEL LLC

By:   
Richard Birdoff, Manager

Sworn to before me this  
30 day of March, 2023.

  
Notary Public

MYRA PADRON  
Notary Public, State of New York  
No. 01PA6188217  
Qualified in Nassau County  
Commission Expires June 2, 2024



NOTES:  
1. BASE SURVEY INFORMATION SHOWN ON THIS PLAN IS BASED ON SURVEY CAD FILE PROVIDED BY JAY A. GREENWELL, P.L.S.  
2. PROPOSED COURTYARD BY MARRIOTT LAYOUT IS BASED ON CAD FILE PROVIDED BY RD MANAGEMENT ON 04/03/2023.  
3. THE PROPOSED "THE SHOPS" LAYOUT, THE OVERALL SITE AREA AND SHOP & STOP SQUARE FOOTAGES HAVE BEEN OBTAINED FROM PREVIOUSLY APPROVED PLAN SET TITLED "SHOPS AT ORANBURG COMMONS" PREPARED BY LEONARD JACKSON ASSOCIATES, LAST REVISED 02/17/16.

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SCALE IN FEET

Project

**ORANBURG**

TOWN OF ORANGETOWN  
ROCKLAND COUNTY NEW YORK

Drawing Title

**CONCEPT PLAN**

ANAND AJAY BHATT  
PROFESSIONAL ENGINEER  
NEW YORK LIC. NO. 095707

04/11/23	REVISED PLANS	1.
DATE	COMMENTS	NO.

REVISIONS

Project No. 230002801

Date APRIL 05, 2023

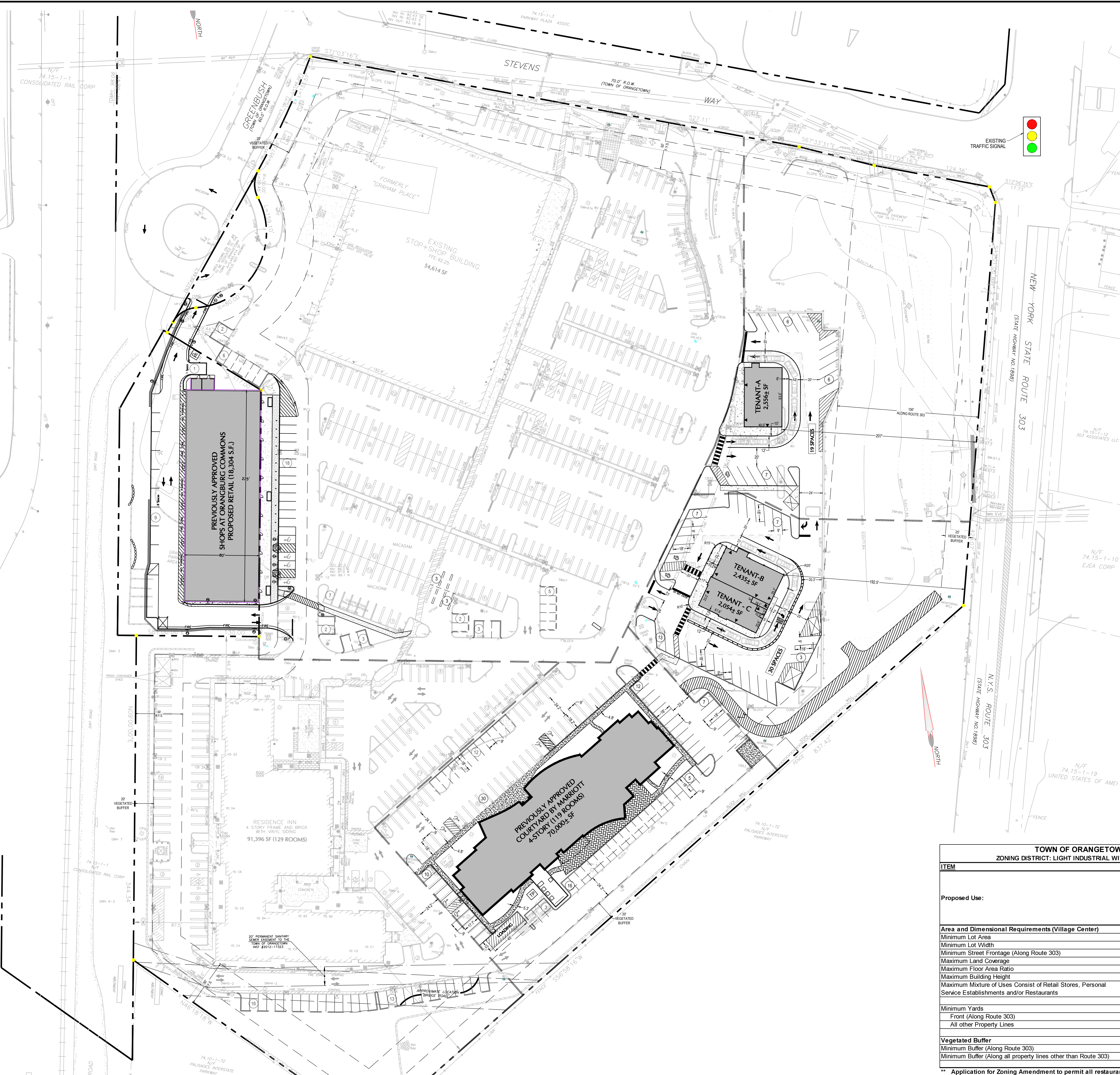
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Drawn By AG

Checked By CT

Drawing No.

**CP 16**



**MAXIMUM DEVELOPMENT COVERAGE:**  
SITE AREA = 729,848 SF  
IMPERVIOUS AREA = 510,901 SF  
DEVELOPMENT COVERAGE = 510,901 SF / 729,848 SF = 70%

**FLOOR AREA RATIO:**  
SITE AREA = 729,848 SF  
TOTAL FLOOR AREA = 241,359 SF  
FLOOR AREA RATIO = 241,359 SF / 729,848 SF = 0.33 < 0.40

**PERCENTAGE OF USES CONSISTING OF RETAIL STORES, PERSONAL SERVICE ESTABLISHMENTS, AND RESTAURANTS: (EXCLUDES "THE SHOPS" PARCEL)**

**PHASE 1:**  
STOP&SHOP + TENANT-A + TENANT-B + TENANT-C  
STOP&SHOP + TENANT-A + TENANT-B + TENANT-C + RESIDENCE INN  
61,659 SF / 153,055 SF = 40.3% < 45%

**PHASE 2:**  
STOP&SHOP + TENANT-A + TENANT-B + TENANT-C  
STOP&SHOP + TENANT-A + TENANT-B + TENANT-C + RESIDENCE INN + COURTYARD  
61,659 SF / 223,055 SF = 27.6% < 35%

**LOADING BERTHS:**

STOP&SHOP (54,614 SF)	REQUIRED: 3 BERTHS (1 PER 25,000 SF)
TENANT - A (2,556 SF)	REQUIRED: NONE (LESS THAN 8,000 SF)
TENANT - B (2,435 SF)	REQUIRED: NONE (LESS THAN 8,000 SF)
TENANT-C (2,054 SF)	REQUIRED: NONE (LESS THAN 8,000 SF)
RESIDENCE INN (129 ROOMS)	REQUIRED: 1 BERTH (1 PER 200 ROOMS)
COURTYARD (119 ROOMS)	REQUIRED: 1 BERTH (1 PER 200 ROOMS)
THE SHOPS (18,304 SF)	REQUIRED: 1 BERTHS (1 PER 25,000 SF)

**OFF-STREET PARKING REQUIREMENTS**

USE	REQUIRED	EXISTING
Existing Retail Store (Stop&Shop)	54,614 SF	273.1 Spaces
Existing Hotel (Residence Inn)	129 Rooms	129 Spaces
Proposed Hotel (Courtyard by Marriott)	119 Rooms	119 Spaces
Proposed Tenant - A (Restaurant/Retail/Personal Service)	2,556 SF	34.1 Spaces
Proposed Tenant - B (Chipotle)	2,435 SF	32.5 Spaces
Proposed Tenant - C (Restaurant/Retail/Personal Service)	2,054 SF	20.5 Spaces
Proposed Retail Stores (The Shops)	18,304 SF	91.5 Spaces
<b>Total Required Parking Spaces</b>	<b>699.7 Spaces</b>	
<b>Total Proposed Parking Spaces</b>	<b>701 Spaces</b>	

NOTE: TOTAL PROPOSED PARKING INCLUDES THE 89 LANDBANK SPACES

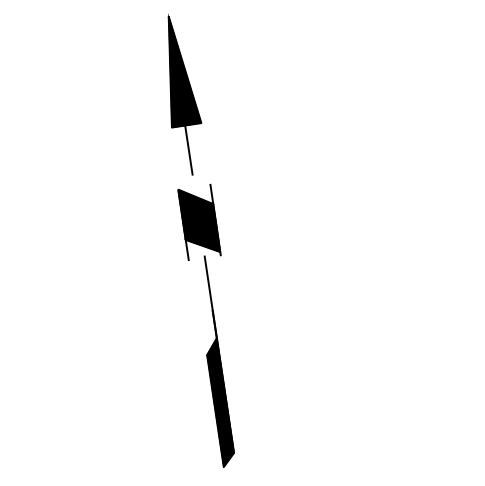
**TOWN OF ORANGETOWN ZONING DATA TABLE**  
ZONING DISTRICT: LIGHT INDUSTRIAL WITHIN THE DISTRICT, ROUTE 303 OVERLAY

ITEM	REQUIRED/PERMITTED	PROPOSED	SECTION
<b>Proposed Use:</b>	Mixed-Use Development & Mixed Use Expansion including Hotels, Retail, Restaurants	Mixed-Use Development & Mixed Use Expansion including Hotels, Retail, Personal Services and Restaurants (All Types) **	Section 4.32.(O).iii.
<b>Area and Dimensional Requirements (Village Center)</b>			
Minimum Lot Area	10 AC.	15.77 AC.	Section 4.32.(O).v.(b)
Minimum Lot Width	300 FT	1,405 FT	Section 4.32.(O).v.(c)
Minimum Street Frontage (Along Route 303)	150 FT	1,540.9 FT	Section 4.32.(O).v.(d)
Maximum Land Coverage	70%	70.0%	Section 4.32.(O).v.(h)
Maximum Floor Area Ratio	0.40	0.33	Section 4.32.(O).v.(a)
Maximum Building Height	4-Stories, but no higher than 50 FT	49' - 8"	Section 4.32.(O).v.(g)
Maximum Mixture of Uses Consist of Retail Stores, Personal Service Establishments and/or Restaurants	35%	27.6%	Section 4.32.(O).iv.(b)
<b>Minimum Yards</b>			
Front (Along Route 303)	150 FT	192.5 FT	Section 4.32.(O).v.(e)
All other Property Lines	50 FT	50 FT	Section 4.32.(O).v.(f)
<b>Vegetated Buffer</b>			
Minimum Buffer (Along Route 303)	25 FT	25 FT	Section 4.32.(O).vi.
Minimum Buffer (Along all property lines other than Route 303)	20 FT	20 FT	Section 4.32.(O).vi.

\*\* Application for Zoning Amendment to permit all restaurant types is pending.



**BHATT THAKKAR ENGINEERING, DPC**  
 1456 Ferry Road,  
 Suite 603  
 Doylestown, PA 18901  
 T: 215.766.8280  
 F: 215.434.5280



NOTES:  
 1. BASE SURVEY INFORMATION SHOWN ON THIS PLAN IS BASED ON SURVEY CAD FILE PROVIDED BY JAY A. GREENWELL, P.L.S.  
 2. PROPOSED COURTYARD BY MARRIOTT LAYOUT IS BASED ON CAD FILE PROVIDED BY RD MANAGEMENT ON 04/03/2023.  
 3. THE PROPOSED "THE SHOPS" LAYOUT, THE OVERALL SITE AREA AND SHOP & STOP SQUARE FOOTAGES HAVE BEEN OBTAINED FROM PREVIOUSLY APPROVED PLAN SET TITLED "SHOPS AT ORANBURG COMMONS" PREPARED BY LEONARD JACKSON ASSOCIATES, LAST REVISED 02/17/16.



Project  
**ORANBURG**

TOWN OF ORANGETOWN  
 ROCKLAND COUNTY NEW YORK

Drawing Title  
**CONCEPT PLAN**

ANAND AJAY BHATT  
 PROFESSIONAL ENGINEER  
 NEW YORK LIC. No. 095707

DATE	REVISIONS	NO.
04/12/23	REVISED PLANS	1.

REVISIONS	
Project No.	230002801
Date	APRIL 05, 2023
Scale	1" = 40'
Drawn By	AG
Checked By	CT
Drawing No.	

**CP-16A**















WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION







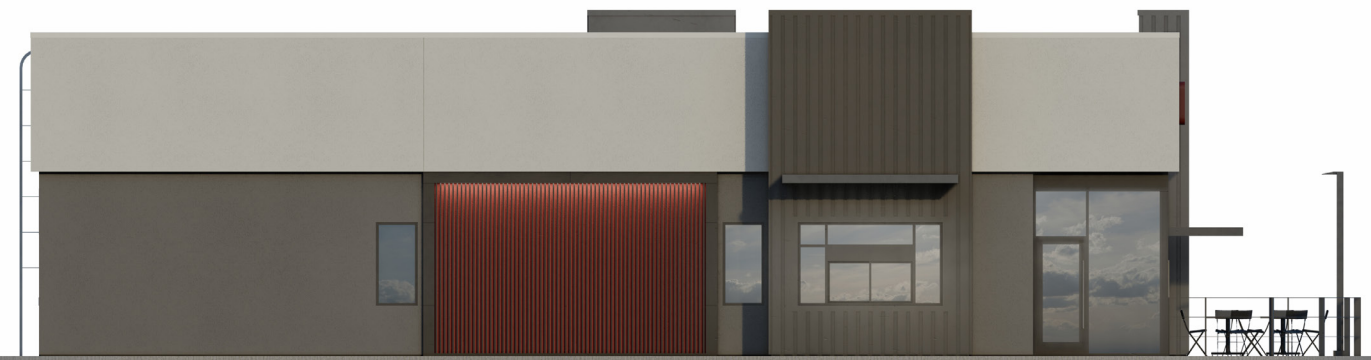
WEST ELEVATION



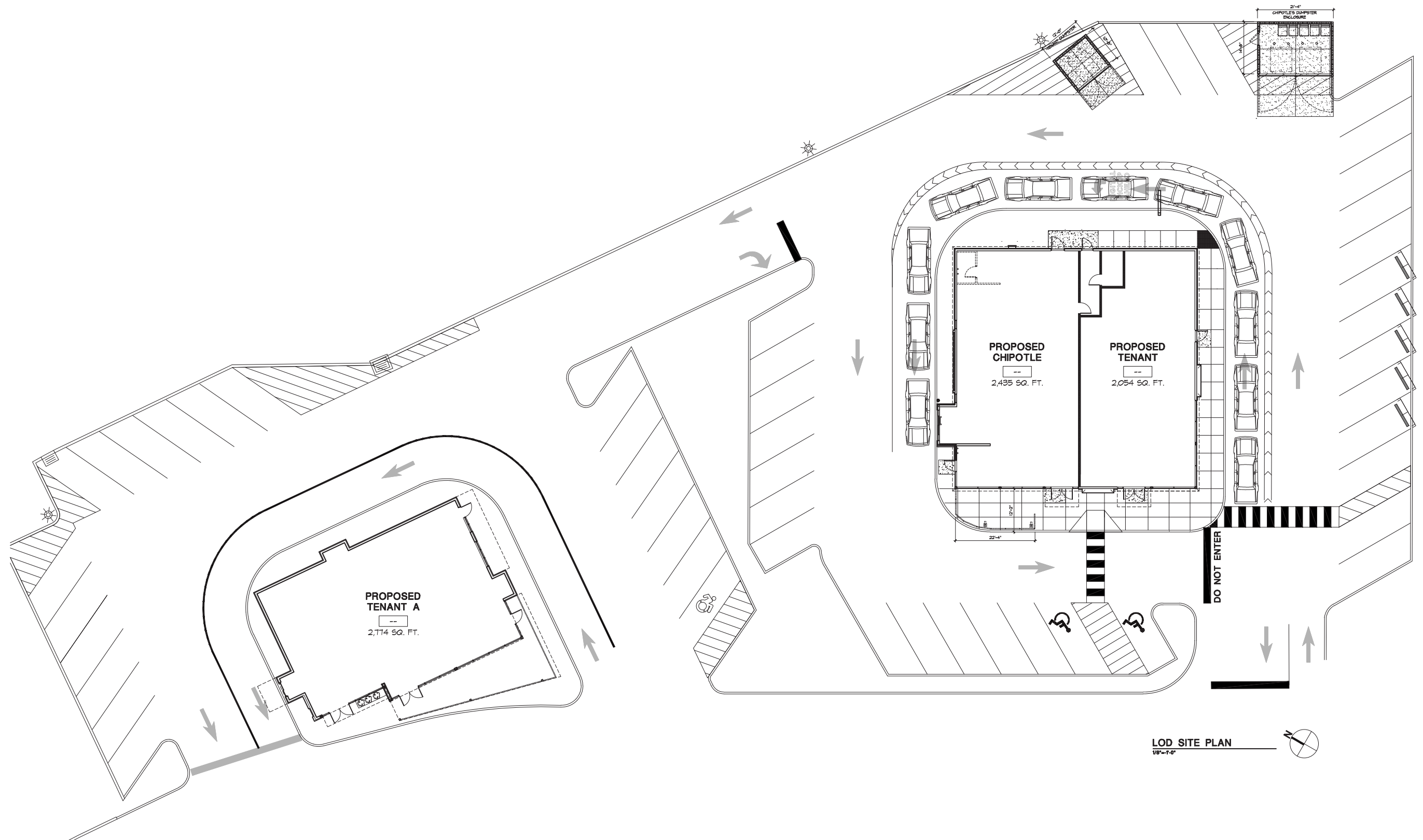
EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
<p>i. Coastal Resources.</p> <p><i>i.</i> Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

\_\_\_\_\_

\_\_\_\_\_

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes,

i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? \_\_\_\_\_

b. What police or other public protection forces serve the project site?  
\_\_\_\_\_

c. Which fire protection and emergency medical services serve the project site?  
\_\_\_\_\_

d. What parks serve the project site?  
\_\_\_\_\_  
\_\_\_\_\_

**D. Project Details ALL RESPONSES IN THIS SECTION D PERTAINS TO ACTION (2)**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
\_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres

b. Total acreage to be physically disturbed? \_\_\_\_\_ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
\_\_\_\_\_

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

*i.* Total number of structures \_\_\_\_\_

*ii.* Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

*iii.* Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

*i.* Purpose of the impoundment: \_\_\_\_\_

*ii.* If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

*iii.* If other than water, identify the type of impounded/contained liquids and their source.  
 \_\_\_\_\_

*iv.* Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

*v.* Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

*vi.* Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  
 \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

*i.* What is the purpose of the excavation or dredging? \_\_\_\_\_

*ii.* How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

*iii.* Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
 \_\_\_\_\_  
 \_\_\_\_\_

*iv.* Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 \_\_\_\_\_

*v.* What is the total area to be dredged or excavated? \_\_\_\_\_ acres

*vi.* What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

*vii.* What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

*viii.* Will the excavation require blasting?  Yes  No

*ix.* Summarize site reclamation goals and plan: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

*i.* Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
 \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day (per original estimate by LJA. See attachment)

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

---

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_  
 \_\_\_\_\_

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g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

*i.* Estimate methane generation in tons/year (metric): \_\_\_\_\_

*ii.* Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

*i.* When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

*ii.* For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

*iii.* Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

*iv.* Does the proposed action include any shared use parking? Yes No

*v.* If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

*vi.* Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

*vii.* Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

*viii.* Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

*i.* Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

*ii.* Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

*iii.* Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

<p><i>i.</i> During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p><i>ii.</i> During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
---	--

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action ALL RESPONSES IN THIS SECTION E PERTAINS TO ACTION (2)**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

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d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
\_\_\_\_\_

---

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  

- Dam height: \_\_\_\_\_ feet
- Dam length: \_\_\_\_\_ feet
- Surface area: \_\_\_\_\_ acres
- Volume impounded: \_\_\_\_\_ gallons OR acre-feet

ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

---

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  

- If yes, cite sources/documentation: \_\_\_\_\_

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_

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g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_

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h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database                      Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database                      Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

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iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
\_\_\_\_\_





<p>m. Identify the predominant wildlife species that occupy or use the project site: _____          _____          _____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>          If Yes:  <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____          _____  <i>ii.</i> Source(s) of description or evaluation: _____  <i>iii.</i> Extent of community/habitat:              • Currently: _____ acres              • Following completion of project as proposed: _____ acres              • Gain or loss (indicate + or -): _____ acres</p>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>          If Yes:  <i>i.</i> Species and listing (endangered or threatened): _____          _____          _____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>          If Yes:  <i>i.</i> Species and listing: _____          _____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>          If yes, give a brief description of how the proposed action may affect that use: _____          _____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>          If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>  <i>i.</i> If Yes: acreage(s) on project site? _____  <i>ii.</i> Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>          If Yes:  <i>i.</i> Nature of the natural landmark:      <input type="checkbox"/> Biological Community      <input type="checkbox"/> Geological Feature  <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____          _____          _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>          If Yes:  <i>i.</i> CEA name: _____  <i>ii.</i> Basis for designation: _____  <i>iii.</i> Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: <u>Palisades Interstate Parkway</u>	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: <u>Palisades Interstate Parkway</u>	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Viewshed</u>	
<i>iii.</i> Distance between project and resource: _____ <u>0.1</u> miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

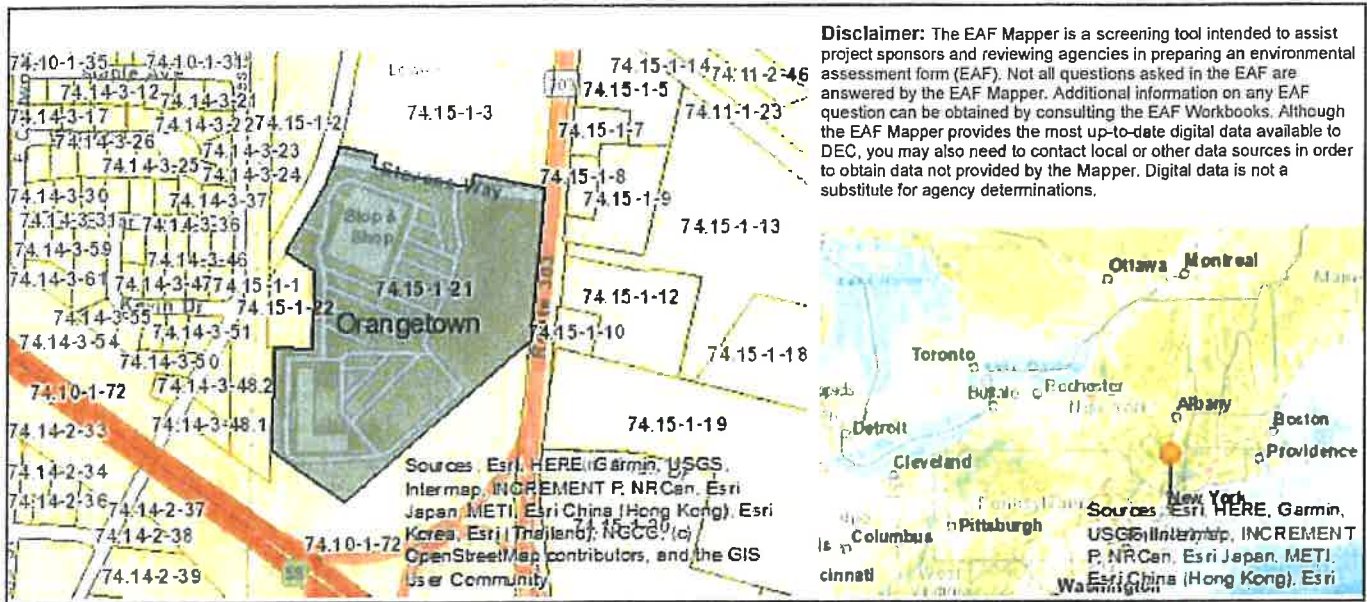
**Please see attachments: (i) Trip Generation Analysis prepared by Colliers Engineering, dated 4/14/23, (ii) amended Fiscal Impact Analysis and (iii) Sewer and Stormwater Statement prepared by Bhatt Thakkar Engineering, DPC, dated 4/18/23**

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name FB Orangetown Entities Date April 19, 2023

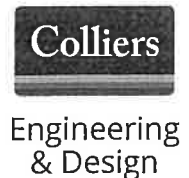
Signature  Title Authorized Signatory



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediation Sites:V00579, Remediation Sites:C344073
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	V00579, C344073
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	V00579, V00343, C344073, C344078, C344066
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	856-17
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters

E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Palisades Interstate Parkway
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

400 Columbus Avenue  
Suite 180E  
Valhalla New York 10595  
Main: 877 627 3772  
colliersengineering.com



April 14, 2023

Ms. Geraldine N. Tortorella, Esq.  
Hocherman Tortorella & Wekstein. LLP  
One North Broadway, Suite 400  
White Plains, New York 10601

Orangeburg Commons  
Colliers Engineering & Design Project No. 23002638A

Dear Geraldine,

It is our understanding that the Applicant would like to amend the permitted uses to allow all restaurant types at the Orangeburg Commons Mixed Use Development. Orangeburg Commons currently consists of Stop & Shop and Residence Inn and has approval for a 3,669 s.f. drive-in bank for the northern pad, a 5,167 s.f. "traditional" restaurant for the southern pad, and hotel (119 Rooms) as part of the original approvals. The Shops at Orangeburg Commons has approval for an 18,304 s.f. retail building.

Colliers Engineering & Design (formerly Maser Consulting, formerly John Collins Engineers) conducted a Traffic Impact Study for the original approval outlined above as well as subsequent traffic evaluations and trip generation comparisons for the existing and approved Mixed Use Site.

As requested, Colliers Engineering & Design has provided a comparison of the previously projected and analyzed trip generation for the remaining approved uses and the anticipated trip generation for the current development plan and potential impacts on the area roadways.

#### **1. APPROVED TRIP GENERATION (Table No. 1)**

As discussed above, Orangeburg Commons currently consists of a Stop & Shop and Residence Inn. Based on recent traffic counts conducted at the Site driveways (Tuesday, March 28, 2023 and Saturday, March 25, 2023), Orangeburg Commons is currently generating a total of 383 entering/exiting trips during the Weekday Peak PM Hour and a total of 284 entering/exiting trips during the Saturday Peak Hour which is significantly less than what was previously projected and analyzed for the approved Foodmarket and Hotel (a total of 647 entering/exiting trips during the Weekday Peak PM Hour and a total of 684 trips during the Saturday Peak Hour.

The Table below shows the remaining approved uses and the previously approved Trip Generation.



**TABLE NO. 1  
 APPROVED DEVELOPMENT PLAN**

Remaining Mixed Use Development (Approved Development Plan)	Entry		Exit		Total	
	HTGR	Volume	HGTR	Volume	HGTR	Volume
<u>Restaurant – 5,167 S.F. (1)</u>						
Weekday Peak PM Highway Hour	6.58	34	4.57	24	11.15	58
Saturday Peak Hour	7.46	39	6.61	34	14.07	73
<u>Drive-In Bank – 3,669 S.F. (2)</u>						
Weekday Peak PM Highway Hour	12.91	47	12.91	47	25.82	94
Saturday Peak Hour	13.80	51	12.73	47	26.53	98
<u>Hotel – 119 Rooms (3)</u>						
Weekday Peak PM Highway Hour	0.31	37	0.28	33	0.59	70
Saturday Peak Hour	0.40	48	0.32	38	0.72	86
<u>The Shops at Orangeburg Commons 18,304 S.F. (4)</u>						
Weekday Peak PM Highway Hour	3.295	60	3.295	60	6.59	120
Saturday Peak Hour	3.34	61	3.23	59	6.57	120
<u>Total</u>						
Weekday Peak PM Highway Hour	-	178	-	164	-	342
Saturday Peak Hour	-	199	-	178	-	377
<u>New Trips (5)</u>						
<b>Weekday Peak PM Highway Hour</b>	-	<b>125</b>	-	<b>113</b>	-	<b>238</b>
<b>Saturday Peak Hour</b>	-	<b>141</b>	-	<b>122</b>	-	<b>263</b>

THE ABOVE HOURLY TRIP GENERATION RATES ARE BASED ON DATA PUBLISHED BY THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE) AS CONTAINED IN THE TRIP GENERATION HANDBOOK, 8TH EDITION, 2008

(1) LAND USE 932 – HIGH TURNOVER (SIT DOWN) RESTAURANT ; (2) LAND USE 912 – DRIVE-IN BANK ; (3) LAND USE 310 – HOTEL  
 (4) LAND USE 822 – STRIP RETAIL PLAZA < 40k

(5) IT CAN BE EXPECTED THAT A SIGNIFICANT PORTION OF THE MIXED-USE DEVELOPMENT GENERATED TRIPS WOULD BE TRAFFIC FROM THE EXISTING TRAFFIC STREAM AS PASS-BY TRAFFIC. A CONSERVATIVE 25% PASS-BY CREDIT WAS USED FOR THE RESTAURANT AND BANK USE. IN ADDITION, A 10% INTERPLAY CREDIT WAS UTILIZED BETWEEN USES

As shown above, the anticipated Trip Generation for the previously approved uses resulted in a total of 238 “new” trips (125 entering trips and 113 exiting trips) during the Weekday Peak PM Hour and a total of 263 “new” trips (141 entering trips and 122 exiting trips) during the Saturday Peak Hour.

**2. CURRENT DEVELOPMENT PLAN TRIP GENERATION (Table No. 2)**

The current development is now proposed for a 2,556 s.f. restaurant with drive-through for the northern pad (former approved bank with drive-through) with the southern pad for a 2,054 s.f. “traditional” restaurant and a proposed 2,435 s.f. Chipotle Restaurant with drive-through.

Table No. 2 below shows the anticipated Trip Generation based on current industry standards as contained in the latest Institute of Transportation Engineers (ITE) - Trip Generation Manual, 11<sup>th</sup> Edition, 2021.



**TABLE NO. 2  
 CURRENT DEVELOPMENT PLAN**

Remaining Mixed Use Development (Current Development Plan)	Entry		Exit		Total	
	HTGR	Volume	HGTR	Volume	HGTR	Volume
<u>Restaurant w/ Drive-Through</u> 2,556 S.F. <sup>(6)</sup>						
Weekday Peak PM Highway Hour	17.18	43	15.85	41	33.03	84
Saturday Peak Hour	28.18	72	27.07	69	55.25	141
<u>Restaurant w/ Drive-Through</u> <sup>(6)</sup> 2,435 S.F.						
Weekday Peak PM Highway Hour	17.18	42	15.85	39	33.09	81
Saturday Peak Hour	28.18	69	27.07	66	55.25	135
<u>Restaurant - 2,054 S.F.</u> <sup>(1)</sup>						
Weekday Peak PM Highway Hour	5.52	11	3.53	8	9.05	19
Saturday Peak Hour	5.71	12	5.48	11	11.19	23
<u>Hotel - 119 Rooms</u> <sup>(3)</sup>						
Weekday Peak PM Highway Hour	0.31	37	0.28	33	0.59	70
Saturday Peak Hour	0.40	48	0.32	38	0.72	86
<u>The Shops at Orangeburg Commons</u> 18,304 S.F. <sup>(4)</sup>						
Weekday Peak PM Highway Hour	3.295	60	3.295	60	6.59	120
Saturday Peak Hour	3.34	61	3.23	59	6.57	120
<u>Total</u>						
Weekday Peak PM Highway Hour	-	193	-	181	-	374
Saturday Peak Hour	-	262	-	243	-	505
<u>New Trips</u> <sup>(5)</sup>						
<b>Weekday Peak PM Highway Hour</b>	-	<b>134</b>	-	<b>124</b>	-	<b>258</b>
<b>Saturday Peak Hour</b>	-	<b>182</b>	-	<b>165</b>	-	<b>347</b>

THE ABOVE HOURLY TRIP GENERATION RATES ARE BASED ON DATA PUBLISHED BY THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE) AS CONTAINED IN THE TRIP GENERATION HANDBOOK, 11TH EDITION, 2021

(1) LAND USE 932 - HIGH TURNOVER (SIT DOWN) RESTAURANT : (3) LAND USE 310 - HOTEL

(6) LAND USE 934 - FAST FOOD WITH DRIVE THROUGH WINDOW

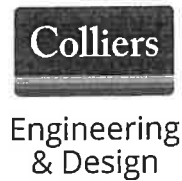
(4) LAND USE 822 - STRIP RETAIL PLAZA < 40k

(5) IT CAN BE EXPECTED THAT A SIGNIFICANT PORTION OF THE MIXED-USE DEVELOPMENT GENERATED TRIPS WOULD BE TRAFFIC FROM THE EXISTING TRAFFIC STREAM AS PASS-BY TRAFFIC. A CONSERVATIVE 25% PASS-BY CREDIT WAS USED FOR THE RESTAURANT USES. IN ADDITION, A 10% INTERPLAY CREDIT WAS UTILIZED BETWEEN USES

A COPY OF THE CURRENT ITE TRIP GENERATION RATES ARE CONTAINED IN ATTACHMENT A

As shown above, the anticipated Trip Generation for the current development plan would result in a total of 258 "new" trips (134 entering trips and 124 exiting trips) during the Weekday Peak PM Hour and a total of 347 "new" trips (182 entering trips and 165 exiting trips) during the Saturday Peak Hour.





**3. CHANGE IN ANTICIPATED TRIP GENERATION** (Table No. 3)

Table No. 3 below shows the "Net" Traffic of the current development plan including proposed Chipotle Restaurant with drive-through.

**TABLE NO. 3 - "NET" TRAFFIC**

"NET" TRAFFIC	Entry		Exit		Total	
	HTGR	Volume	HGTR	Volume	HGTR	Volume
<b>"New" Trips</b>						
<b>Weekday Peak PM Highway Hour</b>	-	+9	-	+11	-	+20
<b>Saturday Peak Hour</b>	-	+41	-	+43	-	+84


**4. TRAFFIC SUMMARY AND CONCLUSION**


As outlined in Section 1 based on recent traffic counts conducted at the Site driveways, the existing Stop & Shop and Residence Inn Hotel are generating significantly less traffic than was previously projected (264 less vehicles during the Weekday Peak PM Hour and 400 less vehicles during the Saturday Peak Hour). With the above trip generation for the current development plan, Orangeburg Commons will generate significantly less traffic than was previously approved and analyzed for. Therefore, the current development plan is not anticipated to have a significant impact on the area roadways.

**5. DRIVE-THROUGH QUEUING**

As shown on the Site Plan, the proposed Restaurant with Drive-Through (Tenant-A) has space for 9 vehicles to queue in the drive-through and the proposed Restaurant with Drive-Through (Tenant-B) has space for 11 vehicles to queue in the drive-through. According to the Institute of Transportation Engineers (ITE) Transportation and Land Development Handbook (2nd Edition, 2006), there is a 95% probability drive-through queues will not exceed 10 vehicles and an 80% probability queues will not exceed 8 vehicles. It should be noted that this research was published before the advent of online/mobile ordering which tends to decrease the service time.

Sincerely,  
 Colliers Engineering & Design CT, P.C.  
 (DBA Maser Consulting Engineering & Land Surveying)

  
 Ronald P. Rieman, Project Manager

  
 A. Peter Russillo, P.E., PTOE  
 Senior Project Manager



Engineering  
& Design

Traffic Attachment A

ITE Trip Generation Rates

DATA STATISTICS

**Land Use:**

Fast-Food Restaurant with Drive-Through Window (934) [Click for Description and Data Plots](#)

**Independent Variable:**

1000 Sq. Ft. GFA

**Time Period:**

Weekday

Peak Hour of Adjacent Street Traffic

One Hour Between 4 and 6 p.m.

**Setting/Location:**

General Urban/Suburban

**Trip Type:**

Vehicle

**Number of Studies:**

190

**Avg. 1000 Sq. Ft. GFA:**

3

**Average Rate:**

33.03

**Range of Rates:**

8.77 - 117.22

**Standard Deviation:**

17.59

**Fitted Curve Equation:**

Not Given

**R<sup>2</sup>:**

\*\*\*\*

**Directional Distribution:**

52% entering, 48% exiting

**Calculated Trip Ends:**

Average Rate: 84 (Total), 44 (Entry), 40 (Exit)

DATA STATISTICS

**Land Use:**

Fast-Food Restaurant with Drive-Through Window (934) [Click for Description and Data Plots](#)

**Independent Variable:**

1000 Sq. Ft. GFA

**Time Period:**

Saturday

Peak Hour of Generator

**Setting/Location:**

General Urban/Suburban

**Trip Type:**

Vehicle

**Number of Studies:**

53

**Avg. 1000 Sq. Ft. GFA:**

4

**Average Rate:**

55.25

**Range of Rates:**

11.25 - 122.92

**Standard Deviation:**

24.62

**Fitted Curve Equation:**

Not Given

**R<sup>2</sup>:**

\*\*\*\*

**Directional Distribution:**

51% entering, 49% exiting

**Calculated Trip Ends:**

Average Rate: 141 (Total), 72 (Entry), 69 (Exit)

DATA STATISTICS

**Land Use:**

Fast-Food Restaurant with Drive-Through Window (934) [Click for Description and Data Plots](#)

**Independent Variable:**

1000 Sq. Ft. GFA

**Time Period:**

Weekday

Peak Hour of Adjacent Street Traffic

One Hour Between 4 and 6 p.m.

**Setting/Location:**

General Urban/Suburban

**Trip Type:**

Vehicle

**Number of Studies:**

190

**Avg. 1000 Sq. Ft. GFA:**

3

**Average Rate:**

33.03

**Range of Rates:**

8.77 - 117.22

**Standard Deviation:**

17.59

**Fitted Curve Equation:**

Not Given

**R<sup>2</sup>:**

\*\*\*\*

**Directional Distribution:**

52% entering, 48% exiting

**Calculated Trip Ends:**

Average Rate: 81 (Total), 42 (Entry), 39 (Exit)

DATA STATISTICS

**Land Use:**

Fast-Food Restaurant with Drive-Through Window (934) [Click for Description and Data Plots](#)

**Independent Variable:**

1000 Sq. Ft. GFA

**Time Period:**

Saturday

Peak Hour of Generator

**Setting/Location:**

General Urban/Suburban

**Trip Type:**

Vehicle

**Number of Studies:**

53

**Avg. 1000 Sq. Ft. GFA:**

4

**Average Rate:**

55.25

**Range of Rates:**

11.25 - 122.92

**Standard Deviation:**

24.62

**Fitted Curve Equation:**

Not Given

**R<sup>2</sup>:**

\*\*\*\*

**Directional Distribution:**

51% entering, 49% exiting

**Calculated Trip Ends:**

Average Rate: 135 (Total), 69 (Entry), 66 (Exit)

DATA STATISTICS

**Land Use:**

High-Turnover (Sit-Down) Restaurant (932) [Click for Description and Data Plots](#)

**Independent Variable:**

1000 Sq. Ft. GFA

**Time Period:**

Weekday

Peak Hour of Adjacent Street Traffic

One Hour Between 4 and 6 p.m.

**Setting/Location:**

General Urban/Suburban

**Trip Type:**

Vehicle

**Number of Studies:**

104

**Avg. 1000 Sq. Ft. GFA:**

6

**Average Rate:**

9.05

**Range of Rates:**

0.92 - 62.00

**Standard Deviation:**

6.18

**Fitted Curve Equation:**

Not Given

**R<sup>2</sup>:**

\*\*\*\*

**Directional Distribution:**

61% entering, 39% exiting

**Calculated Trip Ends:**

Average Rate: 19 (Total), 11 (Entry), 8 (Exit)

DATA STATISTICS

**Land Use:**

High-Turnover (Sit-Down) Restaurant (932) [Click for Description and Data Plots](#)

**Independent Variable:**

1000 Sq. Ft. GFA

**Time Period:**

Saturday

Peak Hour of Generator

**Setting/Location:**

General Urban/Suburban

**Trip Type:**

Vehicle

**Number of Studies:**

22

**Avg. 1000 Sq. Ft. GFA:**

5

**Average Rate:**

11.19

**Range of Rates:**

1.63 - 50.40

**Standard Deviation:**

8.30

**Fitted Curve Equation:**

Not Given

**R<sup>2</sup>:**

\*\*\*\*

**Directional Distribution:**

51% entering, 49% exiting

**Calculated Trip Ends:**

Average Rate: 23 (Total), 12 (Entry), 11 (Exit)



Hotel - 119 rooms

DATA STATISTICS

**Land Use:**

Hotel (310) [Click for Description and Data Plots](#)

**Independent Variable:**

Rooms

**Time Period:**

Weekday

Peak Hour of Adjacent Street Traffic

One Hour Between 4 and 6 p.m.

**Setting/Location:**

General Urban/Suburban

**Trip Type:**

Vehicle

**Number of Studies:**

31

**Avg. Num. of Rooms:**

186

**Average Rate:**

0.59

**Range of Rates:**

0.26 - 1.06

**Standard Deviation:**

0.22

**Fitted Curve Equation:**

$T = 0.74(X) - 27.89$

**R<sup>2</sup>:**

0.78

**Directional Distribution:**

51% entering, 49% exiting

**Calculated Trip Ends:**

Average Rate: 70 (Total), 36 (Entry), 34 (Exit)

DATA STATISTICS

**Land Use:**

Hotel (310) [Click for Description and Data Plots](#)

**Independent Variable:**

Rooms

**Time Period:**

Saturday

Peak Hour of Generator

**Setting/Location:**

General Urban/Suburban

**Trip Type:**

Vehicle

**Number of Studies:**

10

**Avg. Num. of Rooms:**

192

**Average Rate:**

0.72

**Range of Rates:**

0.49 - 1.23

**Standard Deviation:**

0.20

**Fitted Curve Equation:**

$T = 0.69(X) + 5.95$

**R<sup>2</sup>:**

0.80

**Directional Distribution:**

56% entering, 44% exiting

**Calculated Trip Ends:**

Average Rate: 86 (Total), 48 (Entry), 38 (Exit)

DATA STATISTICS

**Land Use:**

Strip Retail Plaza (<40k) (822) [Click for Description and Data Plots](#)

**Independent Variable:**

1000 Sq. Ft. GLA

**Time Period:**

Weekday

Peak Hour of Adjacent Street Traffic

One Hour Between 4 and 6 p.m.

**Setting/Location:**

General Urban/Suburban

**Trip Type:**

Vehicle

**Number of Studies:**

25

**Avg. 1000 Sq. Ft. GLA:**

21

**Average Rate:**

6.59

**Range of Rates:**

2.81 - 15.20

**Standard Deviation:**

2.94

**Fitted Curve Equation:**

$\ln(T) = 0.71 \ln(X) + 2.72$

**R<sup>2</sup>:**

0.56

**Directional Distribution:**

50% entering, 50% exiting

**Calculated Trip Ends:**

Average Rate: 120 (Total), 60 (Entry), 60 (Exit)

DATA STATISTICS

**Land Use:**

Strip Retail Plaza (<40k) (822) [Click for Description and Data Plots](#)

**Independent Variable:**

1000 Sq. Ft. GLA

**Time Period:**

Saturday

Peak Hour of Generator

**Setting/Location:**

General Urban/Suburban

**Trip Type:**

Vehicle

**Number of Studies:**

12

**Avg. 1000 Sq. Ft. GLA:**

27

**Average Rate:**

6.57

**Range of Rates:**

1.88 - 14.23

**Standard Deviation:**

3.45

**Fitted Curve Equation:**

Not Given

**R<sup>2</sup>:**

\*\*\*\*

**Directional Distribution:**

51% entering, 49% exiting

**Calculated Trip Ends:**

Average Rate: 120 (Total), 61 (Entry), 59 (Exit)

**Restaurant Pad Development  
Orangeburg Commons  
Fiscal Impact  
March 31, 2023**

**1. Existing Tax Revenue:**

The Orangeburg Commons development currently generates revenues in the amount of approximately \$700,000 to the Town of Orangetown, Rockland County, New York State, the South Orangetown School District, the Orangeburg Fire District, the South Orangetown Ambulance District, the South Orangetown Library, Tappan Library, and the Paramedics. These taxes are based on five (5) separately assessed Condominium Parcels of which, the Restaurant Pad parcels generate approximately \$8,500 in taxes.

**2. Proposed Project:**

The proposed project consists of constructing restaurants on the two (2) condominium pad sites.

**3. Proposed Tax Revenue:**

To determine the amount of tax revenue the restaurant pad development project will generate, the market value of the buildings was estimated at approximately \$1,058,000. Based on the Town of Orangetown's Common Level Ratio (CLR) of 37.48%, the Taxable Assessed Value of this project is \$397,000.

The below table illustrates the added revenues the restaurant development project will likely generate to the various Tax Jurisdictions annually after its completion.

**Table 1 - Estimated Future Tax Revenue**

<b>Tax Jurisdiction</b>	<b>Estimated Assessed Value</b>	<b>2022/2023 Tax Rate/\$1,000</b>	<b>2022/2023 Estimated Tax Revenues</b>
State and Country	\$397,000	7.23752	\$2,873
Townwide Services	\$397,000	4.55241	\$1,807
Town Building Services	\$397,000	0.87111	\$346
Town Outside Highway	\$397,000	3.02386	\$1,200
Town and Nyack Police	\$397,000	10.0076	\$3,973
So O'town Ambulance	\$397,000	0.232833	\$92
Orangeburg Fire	\$397,000	4.70737	\$1,869
Tappan Library	\$397,000	1.6137	\$641
Paramedic	\$397,000	0.398682	\$158
Sewer Debt Service	\$397,000	0.70781	\$281
S Orangetown CSD	\$397,000	72.833393	\$28,915
S Orangetown Library	\$397,000	0.508198	\$202
Orangeburg Hydrant	\$397,000	0.6769	\$269
RC Solid Waste	non-ad valorem		\$65
<b>Total</b>			<b>\$42,626</b>

As noted, the total estimated additional tax revenues for the proposed restaurant pad development project is approximately \$34,100 per year.

It is not likely that development on the two (2) restaurant pad sites will require any significant service increases from the Town, County or New York State. The restaurant buildings will have internal fire suppressors systems and security systems, thereby reducing the potential need for fire and police protection. Further and since there is no residential aspect of the Proposed Action, the School District revenue would be a net revenue increase of approximately \$29,000 per year.

# BHATT THAKKAR ENGINEERING DPC

1456 Ferry Road, Suite 603  
Doylestown, PA 18901  
P. 215.766.8280  
F. 215.434.5280

---

April 19, 2023

Geraldine N. Tortorella, Esq.  
Hocherman, Tortorella & Wekstein LLP  
One North Broadway, Suite 400  
White Plains, New York 10601

**RE: Stormwater/Sewer Statement for Amended Site Plan for Orangeburg Commons – proposed Two pad sites – Concept Plan CP-16 & CP-16A prepared by Bhatt Thakkar Engineering, DPC, last revised 4/12/23. ARNA Project - 230002801**

Dear Ms. Tortorella:

We have prepared the above referenced Concept Plans based on the approved Shops at Orangeburg Commons project, and as requested have evaluated potential stormwater and sanitary sewer related impacts due to the proposed site plan changes.

Reference is made to the fully approved Shops at Orangeburg Commons Site Plan set (Rev.#11, 2/17/16) for comparison. Said plan set was modified for the current Concept Plan CP-16, last revised 4/12/23.

The summary table below includes the stormwater and sanitary sewer related statistics to facilitate the evaluation by comparison.

Items:	Site Plan		Reduction
	Shops @ Orangeburg Commons	Concept Plan CP-16	
Impervious Coverage	478,002 SF	476,508 SF	1,494 SF
Development Coverage	65.5%	65.29%	0.21%
Total Floor Area	243,150 SF	241,359 SF	1,791 SF
Floor Area Ratio	0.333	0.330	0.003
Sewer Usage	51,000 GPD	≤ 51,000 GPD	-

Based on the above summary, a reduction of impervious coverage allows the project to maintain the existing SWPPP. The NYDEC stormwater water quality/quantity requirements have been met.

The proposed mix of uses and their respective sizes shown on Concept Plan CP-16 is not anticipated to exceed the previously estimated sewer usage of 51,000 GPD for Orangeburg Commons.

## BHATT THAKKAR ENGINEERING DPC

1456 Ferry Road, Suite 603

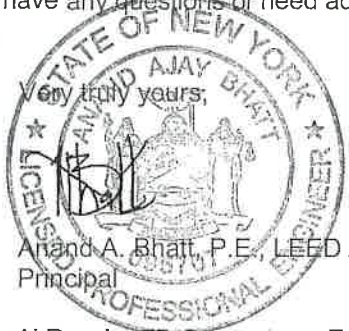
Doylestown, PA 18901

P. 215.766.8280

F. 215.434.5280

---

If you have any questions or need additional information, please do not hesitate to call us at (267) 733-7840.



Ajay A. Bhatt, P.E., LEED AP  
Principal

Cc: Al Rossi – FB Orangetown Entities

P:\Accounting\230002801\Office Data\Correspondence\2023-04-19\_Stormwater & Sewer Statement.docx



Clerk of Boards Review:  
Date: \_\_\_\_\_ Initials: \_\_\_\_\_

Building Dept. (Accepted By):  
Date: \_\_\_\_\_ Initials: \_\_\_\_\_

**ENTITY DISCLOSURE FORM**

TOWN OF ORANGETOWN  
Office of Building, Zoning, Planning Administration and Enforcement (OBZPAE)  
20 Greenbush Road  
Orangeburg, New York 10962  
Tel: (845) 359-8410  
Website: [www.orangetown.com](http://www.orangetown.com)

**THIS FORM MUST ACCOMPANY ALL LAND USE APPLICATIONS SUBMITTED BY AN ENTITY AS DEFINED IN CHAPTER 43, ARTICLE 16 OF THE TOWN CODE OF THE TOWN OF ORANGETOWN.**

PROJECT NAME: (1) Petition for Zoning Text Amendment & (2) Amended Special Permit for Orangeburg Commons

PROPERTY ADDRESS: Orangeburg Commons, NYS Route 303 & Stevens Way & The Shops at Orangeburg Commons, Greenbush Road

TAX LOT ID: 74.15-1-21./1, 21./2, 21./3, 21./4, 21./5, 22

NAME OF APPLICANT: FB Orangetown Retail LLC, FB Orangetown Retail Two LLC, FB Orangetown Retail Three LLC, FB Orangetown Hotel LLC, FB Orangetown Hotel Two LLC (Collectively, the "FB Orangetown Entities") and FB Greenbush LLC

OWNER OF PROPERTY: Same as Applicant

Land Use Application/Brief Description of Project: (1) Zoning Text Amendment Related to Mixed Use Developments, 4.32(O)(iii)(h)  
(2) Amendment of Special Permit for Restaurant (Chipotle) and other commercial space in Orangeburg Commons

**PART ONE:**

1. Pursuant to Section Chapter 43, Article 16 of the Town Code, the disclosure of the names and address of all persons or entities owning any interest or controlling position of any limited liability company, limited liability partnership, general or limited partnership, professional corporation, joint venture, doing business as name or venture, association, business trust, or non-publically traded corporation, (hereinafter referred to as the "Entity") is required when filing a land-use application.
2. Set forth the names of all members, officers, shareholders, directors, partners or other authorized persons of the Entity for the past year from the date of filing of any land-use board application.
3. Attach a copy of all Entity documents filed with the NYS Secretary of State, or in any other State of formation, including:
  - a. All records regarding membership interests in the Entity;
  - b. Records regarding the transfer of membership interests since the date of formation.
4. If a member of the Entity is not a natural person, please provide the name(s) and address(es) for the of the non-natural person member of that Entity, and provide the formation filing documents for such Entity.
5. Provide supplemental sheets if the information does not fit below; (kindly label the supplemental sheets).

Name of Entity:	The FB Orangetown Entities (the Restaurant will be constructed on Orangeburg Commons Condo Unit 2, which is owned by FB Orangetown Retail Three LLC) and FB Greenbush LLC
Address:	c/o RD Management, 810 Seventh Avenue, 10th Floor, New York, New York 10019
Telephone Number:	(212) 265-6500 x305
E-Mail Address:	arossi@rdmanagement.com
State/Date of Formation:	New York (all entities); Date: 1/19/12 (all FB Orangetown Entities except FB Orangetown Hotel LLC). FB Orangetown Hotel LLC 12/12/11.
Contact Person:	Alfred Rossi, P.E.

**PART TWO:**

6. Please list all persons, officers, limited or general partners, directors, members, shareholders, managers, authorized persons, beneficial owners, and any others with any interest in or with the above referenced entity.
7. Please NOTE that an "authorized person" means an individual or entity, whether or not a shareholder, member, officer or director, or person identified by any other title, who is authorized to act, solely or in conjunction with others, on behalf of or for the Entity.
8. List all persons with a membership or voting interest or controlling position in the Entity. Please provide that parties' business or personal address and telephone number, email address and other contact information.
9. Provide supplemental sheets if the information does not fit below; (kindly label the supplemental sheets).

<u>Name of Individual</u>	<u>Address</u>	<u>Telephone</u>	<u>Email</u>	<u>Interest or Role in Entity</u>
1. See Supplemental Sheet attached.				
2.				
3.				
4.				
5.				
6.				



**Supplemental Sheet – Part Two – Entity Disclosure Form for  
FB Orangetown Entities & FB Greenbush LLC**

<b>Name of Individual</b>	<b>Address</b>	<b>Telephone</b>	<b>Email (contact of counsel)</b>	<b>Role in Entity</b>
Richard Birdoff	c/o RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner MFB Realty LLC; Manager - FB Orangetown Entities and FB Greenbush LLC
Michael M. Ades	c/o RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner FB Orangetown LLC and ADSON Group LLC
Joseph A. Ades	c/o Michael M. Ades RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner FB Orangetown LLC
Joseph R. Ades	c/o Michael M. Ades RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner ADSON Group, LLC
R. David Ades	c/o Michael M. Ades RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner ADSON Group, LLC
Billy A. Ades	c/o Michael M. Ades RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner ADSON Group, LLC
The Estate of Jay M. Furman	c/o RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner MFB Realty LLC; MF Est. LLC
Jason Furman	c/o RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner MF Est. LLC
Jesse Furman	c/o RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner MF Est. LLC
Robert P. Murray	c/o RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner MF Est. LLC
Barbara Murray	c/o RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner MF Est. LLC
Bruce Murray	c/o RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner MF Est. LLC
Erica Sue Murray	c/o RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner MF Est. LLC
Vicki Birdoff	c/o RD Management LLC 810 7 <sup>th</sup> Ave, 10 <sup>th</sup> floor NY, NY 10019	212-265-6600	g.tortorella@htwlegal.com	Owner MF Est. LLC

***STATE OF NEW YORK***

***DEPARTMENT OF STATE***

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on January 4, 2013.

A handwritten signature in black ink, appearing to read "Daniel E. Shapiro".

Daniel E. Shapiro  
First Deputy Secretary of State

111212000 480

**ARTICLES OF ORGANIZATION**

**OF**

**FB ORANGETOWN HOTEL LLC**

**Under Section 203 of the New York Limited Liability Company Law**

**First:** The name of the limited liability company is **FB Orangetown Hotel LLC**

**Second:** The county within this state in which the office of the limited liability company is to be located is **[Suffolk]**.

**Third:** The Secretary of State is designated as agent of the limited liability company upon whom process against it may be served. The post office address within or without this state to which the Secretary of State shall mail a copy of any process against the limited liability company served upon him or her is **c/o RD Management LLC, 810 Seventh Ave., 10<sup>th</sup> Floor, New York, NY 10019.**

**Fourth:** The effective date of the Articles of Organization shall be the date of the filing.

**Fifth:** The limited liability company is to be managed by (check appropriate selection):

- 1 or more members
- A class or classes of members
- 1 or more managers
- A class or classes of managers

Dated: December 12, 2011

Steven Z. Nachman  
Steven Z. Nachman, Organizer

111212000480

MSOC

RECEIVED

2011 DEC 12 AM 11:06

Articles of Organization  
of

**FB ORANGETOWN HOTEL LLC**

(List Entity Name)

Under Section 203 of the Limited Liability Company Law

Filed by:

Steven Nachman

(Name)

c/o RD Management LLC

810 Seventh Avenue, 10<sup>th</sup> Floor

(Mailing address)

New York, NY 10019

(City, State and Zip Code)

FILED

2011 DEC 12 PM 12:26

STATE OF NEW YORK  
DEPARTMENT OF STATE  
FILED DEC 12 2011  
TAXS  
BY: [Signature]

547

***STATE OF NEW YORK***  
***DEPARTMENT OF STATE***

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.

WITNESS my hand and official seal of the  
Department of State, at the City of Albany, on  
May 3, 2017.



A handwritten signature in black ink, appearing to read "B. Fitzgerald", written over a horizontal line.

Brendan Fitzgerald  
Executive Deputy Secretary of State



120119000 381

ARTICLES OF ORGANIZATION

OF

FB ORANGETOWN HOTEL TWO LLC

Under Section 203 of the New York Limited Liability Company Law

**First:** The name of the limited liability company is FB Orangetown Hotel Two LLC

**Second:** The county within this state in which the office of the limited liability company is to be located is New York.

**Third:** The Secretary of State is designated as agent of the limited liability company upon whom process against it may be served. The post office address within or without this state to which the Secretary of State shall mail a copy of any process against the limited liability company served upon him or her is c/o RD Management LLC, 810 Seventh Avenue, 10<sup>th</sup> Floor, New York, NY 10019.

**Fourth:** The effective date of the Articles of Organization shall be the date of the filing.

**Fifth:** The limited liability company is to be managed by (check appropriate selection):

- 1 or more members
- A class or classes of members
- 1 or more managers
- A class or classes of managers

Dated: January 18, 2012

Steven Z. Nachman  
Steven Z. Nachman, Organizer

120119000 381

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2012 JAN 19 AM 10:06

Articles of Organization  
of

**FB ORANGETOWN HOTEL TWO LLC**

(List Entity Name)

Under Section 203 of the Limited Liability Company Law

Filed by: Steven Nachman  
(Name)  
c/o RD Management LLC  
810 Seventh Avenue, 10<sup>th</sup> Floor  
(Mailing address)  
New York, NY 10019  
(City, State and Zip Code)

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STATE OF NEW YORK  
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BY: ja

ja

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BARBARA SILBERBERG  
RD MANAGEMENT LLC  
810 SEVENTH AVE., 10TH FL.  
NEW YORK NY 10019

CUST REF: FED779048858299

Enclosed is the information you requested. Your payment of  
\$35.00 is hereby acknowledged.

If the name on the enclosed document(s) does not match exactly  
with the name of the entity you requested, this office does not  
have a record of the exact name you requested. The document(s)  
provided appear(s) to be of sufficient similarity to be the  
entity requested.

**State of New York**  
**Department of State** } **ss:**

I hereby certify, that FB ORANGETOWN RETAIL LLC a NEW YORK Limited Liability Company filed Articles of Organization pursuant to the Limited Liability Company Law on 01/19/2012, and that the Limited Liability Company is existing so far as shown by the records of the Department.



\*\*\*

*WITNESS my hand and the official seal  
of the Department of State at the City of  
Albany, this 16th day of July two  
thousand and fourteen.*

A handwritten signature in cursive script that reads "Anthony Scardino".

*Executive Deputy Secretary of State*

***STATE OF NEW YORK***  
***DEPARTMENT OF STATE***

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on July 17, 2014.

*Anthony Giardina*

Anthony Giardina  
Executive Deputy Secretary of State

120119000384

**ARTICLES OF ORGANIZATION**

**OF**

**FB ORANGETOWN RETAIL LLC**

**Under Section 203 of the New York Limited Liability Company Law**

**First:** The name of the limited liability company is **FB Orangetown Retail LLC**

**Second:** The county within this state in which the office of the limited liability company is to be located is **New York**.

**Third:** The Secretary of State is designated as agent of the limited liability company upon whom process against it may be served. The post office address within or without this state to which the Secretary of State shall mail a copy of any process against the limited liability company served upon him or her is **c/o RD Management LLC, 810 Seventh Avenue, 10<sup>th</sup> Floor, New York, NY 10019**.

**Fourth:** The effective date of the Articles of Organization shall be the date of the filing.

**Fifth:** The limited liability company is to be managed by (check appropriate selection):

- 1 or more members
- A class or classes of members
- 1 or more managers
- A class or classes of managers

Dated: January 18, 2012

Steven Z. Nachman  
Steven Z. Nachman, Organizer

120119000.384

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2012 JAN 19 AM 10:06

Articles of Organization  
of

**FB ORANGETOWN RETAIL LLC**

(List Entity Name)

Under Section 203 of the Limited Liability Company Law

Filed by: Steven Nachman  
(Name)  
c/o RD Management LLC  
810 Seventh Avenue, 10<sup>th</sup> Floor  
(Mailing address)  
New York, NY 10019  
(City, State and Zip Code)

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FILED JAN 19 2012  
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BY: LSL

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***STATE OF NEW YORK***

***DEPARTMENT OF STATE***

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.

WITNESS my hand and official seal of  
the Department of State, at the City of  
Albany, on January 4, 2013.



A handwritten signature in black ink, appearing to read "Daniel E. Shapiro".

Daniel E. Shapiro  
First Deputy Secretary of State



120119000

346

**ARTICLES OF ORGANIZATION**

**OF**

**FB ORANGETOWN RETAIL THREE LLC**

**Under Section 203 of the New York Limited Liability Company Law**

**First:** The name of the limited liability company is **FB Orangetown Retail Three LLC**

**Second:** The county within this state in which the office of the limited liability company is to be located is **New York.**

**Third:** The Secretary of State is designated as agent of the limited liability company upon whom process against it may be served. The post office address within or without this state to which the Secretary of State shall mail a copy of any process against the limited liability company served upon him or her is **c/o RD Management LLC, 810 Seventh Avenue, 10<sup>th</sup> Floor, New York, NY 10019.**

**Fourth:** The effective date of the Articles of Organization shall be the date of the filing.

**Fifth:** The limited liability company is to be managed by (check appropriate selection):

- 1 or more members
- A class or classes of members
- 1 or more managers
- A class or classes of managers

Dated: January 18, 2012

Steven Z. Nachman  
Steven Z. Nachman, Organizer

120119000

344

Articles of Organization  
of

**FB ORANGETOWN RETAIL THREE LLC**

(List Entity Name)

Under Section 203 of the Limited Liability Company Law

Handwritten scribble

RECEIVED  
2012 JAN 19 AM 10:06  
Filed by:

Steven Nachman  
(Name)

c/o RD Management LLC  
810 Seventh Avenue, 10<sup>th</sup> Floor  
(Mailing address)

New York, NY 10019  
(City, State and Zip Code)

STATE OF NEW YORK  
DEPARTMENT OF STATE  
FILED

JAN 19 2012

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BY: \_\_\_\_\_

Handwritten signature

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***STATE OF NEW YORK***  
***DEPARTMENT OF STATE***

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on January 4, 2013.

A handwritten signature in black ink, appearing to read "Daniel E. Shapiro".

Daniel E. Shapiro  
First Deputy Secretary of State

120119000360

**ARTICLES OF ORGANIZATION**

**OF**

**FB ORANGETOWN RETAIL TWO LLC**

**Under Section 203 of the New York Limited Liability Company Law**

**First:** The name of the limited liability company is **FB Orangetown Retail Two LLC**

**Second:** The county within this state in which the office of the limited liability company is to be located is **New York**.

**Third:** The Secretary of State is designated as agent of the limited liability company upon whom process against it may be served. The post office address within or without this state to which the Secretary of State shall mail a copy of any process against the limited liability company served upon him or her is **c/o RD Management LLC, 810 Seventh Avenue, 10<sup>th</sup> Floor, New York, NY 10019**.

**Fourth:** The effective date of the Articles of Organization shall be the date of the filing.

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- 1 or more members
- A class or classes of members
- 1 or more managers
- A class or classes of managers

Dated: January 18, 2012

Steven Z. Nachman  
Steven Z. Nachman, Organizer

120119000 360

RECEIVED  
2012 JAN 19 AM 10:06

Articles of Organization  
of

**FB ORANGETOWN RETAIL TWO LLC**

(List Entity Name)

Under Section 203 of the Limited Liability Company Law

Filed by: Steven Nachman  
(Name)  
c/o RD Management LLC  
810 Seventh Avenue, 10<sup>th</sup> Floor  
(Mailing address)  
New York, NY 10019  
(City, State and Zip Code)

2012 JAN 19 PM 12:24

1cc  
STATE OF NEW YORK  
DEPARTMENT OF STATE

FILED JAN 19 2012

TAX S: \_\_\_\_\_

BY: LWC

382

# Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED ARE TRUE AND CORRECT COPIES OF ALL DOCUMENTS ON FILE OF "MFB REALTY LLC" AS RECEIVED AND FILED IN THIS OFFICE.

THE FOLLOWING DOCUMENTS HAVE BEEN CERTIFIED:

CERTIFICATE OF FORMATION, FILED THE THIRTIETH DAY OF MAY, A.D. 2000, AT 9 O'CLOCK A.M.

CERTIFICATE OF AMENDMENT, FILED THE FOURTEENTH DAY OF JULY, A.D. 2005, AT 4:05 O'CLOCK P.M.

CERTIFICATE OF AMENDMENT, FILED THE TWELFTH DAY OF FEBRUARY, A.D. 2008, AT 8 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CERTIFICATES ARE THE ONLY CERTIFICATES ON RECORD OF THE AFORESAID LIMITED LIABILITY COMPANY, "MFB REALTY LLC".



  
Jeffrey W. Bullock, Secretary of State

3236397 8100H  
SR# 20181492993

You may verify this certificate online at [corp.delaware.gov/authver.shtm1](http://corp.delaware.gov/authver.shtm1)

Authentication: 202231980  
Date: 02-28-18

CERTIFICATE OF FORMATION  
OF  
MFB REALTY LLC

The undersigned, an authorized person for the purpose of forming a limited liability company under the provisions and subject to the requirements of the State of Delaware (particularly Chapter 18, Title 6 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified, and referred to as the "Delaware Limited Liability Company Act"), hereby certifies that:

FIRST: The name of the limited liability company (hereinafter called the "limited liability company") is MFB REALTY LLC.

SECOND: The address of the registered office and the name and the address of the registered agent of the limited liability company required to be maintained by Section 18-104 of the Delaware Limited Liability Company Act are: Corporation Service Company, 1013 Centre Road, Wilmington, Delaware 19805-1297.

Executed on May 30, 2000.

  
Eric S. Schoenfeld, Authorized Person

STATE OF DELAWARE  
CERTIFICATE OF AMENDMENT

1. Name of Limited Liability Company: MFB REALTY LLC
  
2. The Certificate of Formation of the limited liability company is hereby amended as follows: Paragraph SECOND is deleted in its entirety, and replaced with the following: The address of the registered office and the name and the address of the registered agent of the limited liability company required to be maintained by Section 18-104 of the Delaware Limited Liability Company Act are: Clark Minker, 710 Yorklyn Road, Hockessin, DE 19707

IN WITNESS WHEREOF, the undersigned have executed this Certificate on the 14th day of July, A.D. 2005.

By:   
Authorized Person(s)

Name: Jay Furman  
Print or Type

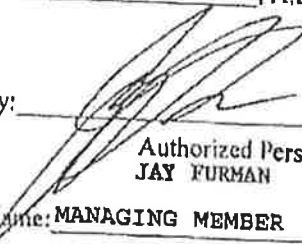


STATE OF DELAWARE  
CERTIFICATE OF AMENDMENT

1. Name of Limited Liability Company: MFB REALTY LLC
2. The Certificate of Formation of the limited liability company is hereby amended as follows:

THE REGISTERED AGENT RECORD HAS CHANGED: FROM CLARK MINKER, 710 YORKLYN ROAD, HOCKESSIN, DELAWARE 19707 TO: CORPORATION SERVICE COMPANY, 2711 CENTERVILLE ROAD SUITE 400, WILMINGTON, DE 19808

IN WITNESS WHEREOF, the undersigned have executed this Certificate on the 6 day of DECEMBER, A.D. 2007.

By:   
Authorized Person(s)  
JAY FURMAN  
Name: MANAGING MEMBER

Print or Type

*STATE OF NEW YORK*  
*DEPARTMENT OF STATE*

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of  
the Department of State, at the City of  
Albany, on January 4, 2013.

A handwritten signature in black ink, appearing to read "Daniel E. Shapiro".

Daniel E. Shapiro  
First Deputy Secretary of State

99122800057

ARTICLES OF ORGANIZATION

GSC 45

OF

FB ORANGETOWN LLC

Under Section Two Hundred Three of the Limited Liability Company Law

The undersigned person, acting as an organizer of the limited liability company hereinafter named, sets forth the following statements.

FIRST: The name of the limited liability company (the "Company") is FB Orangetown LLC.

SECOND: The county within the State of New York in which the office of the Company is to be located is the County of New York.

THIRD: The Company is not to have a specific date of dissolution in addition to the events of dissolution set forth in Section 701 of the New York Limited Liability Company Law.

FOURTH: The Secretary of State of the State of New York is designated as agent of the Company upon whom process against it may be served. The post office address within or without the State of New York to which the Secretary of State of the State of New York shall mail a copy of any process against the Company served upon him is c/o RD Management Corp. 810 Saynath Avenue, 28<sup>th</sup> Floor, New York, New York 10019, Attention: Richard J. Birdoff.

Signed on December 27, 1999.

*Jeanette C. Luoh*  
Jeanette C. Luoh, Organizer

991228000587

CSC 45

ARTICLES OF ORGANIZATION

OF

FB ORANGETOWN LLC

Under Section Two Hundred Three of the Limited Liability Company Law

Dec 29 12:56 PM '99  
FILED

RECEIVED

Dec 28 12:19 PM '99

STATE OF NEW YORK  
DEPARTMENT OF STATE

FILED DEC 28 1999

MXS  
BY: *[Signature]* a.B

Filed by

Buer Marks & Upham LLP  
805 Third Avenue  
New York, New York 10022  
Cust Perf# 530413G5T

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Drawdown

*[Handwritten mark]*

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*STATE OF NEW YORK*

*DEPARTMENT OF STATE*

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of  
the Department of State, at the City of  
Albany, on June 22, 2011.

A handwritten signature in black ink, appearing to read "Daniel E. Shapiro".

Daniel E. Shapiro  
First Deputy Secretary of State

GW-13

F990809000430

ARTICLES OF ORGANIZATION  
OF  
ADSON GROUP, LLC

Under Section 203 of the Limited Liability Company Law:

FIRST: The name of the limited liability company is ADSON GROUP, LLC.

SECOND: The county within the state in which the office of the limited liability company is to be located is Nassau.

THIRD: The latest date on which the limited liability company is to dissolve is December 31, 2040.

FOURTH: The Secretary of State is designated, as agent of the limited liability company upon whom process against it may be served. The post office address within or without this state to which the Secretary of State shall mail a copy of any process against the limited liability company served-upon him or her is:

Robert Ades  
33 Pond Park Road  
Grant Neck, New York 11023

FIFTH: The effective date of the Articles of Organization shall be the date of filing with the Secretary of State.

SIXTH: The limited liability company is to be managed by 1 or more members.

IN WITNESS WHEREOF, this certificate has been subscribed to  
this 9th day of August, 1999 by the undersigned who affirms that the  
statements made herein are true under the penalties of perjury.

*Lawrence A. Kirsch*

Lawrence A. Kirsch, Attorney in Fact

GW13

990809000430

ARTICLES OF ORGANIZATION

OF

ADSON GROUP, LLC

STATE OF NEW YORK  
DEPARTMENT OF STATE

FILED AUG 09 1999

TAX \$

BY:

PEM

RECEIVED

Filed by:

Aug 9 1 01 PM '99

Martin Bergstein  
450 Seventh Avenue,  
Suite 2906  
New York, New York 10123

3

990809000451



***STATE OF NEW YORK***  
***DEPARTMENT OF STATE***

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on March 25, 2016.

*Anthony Giardina*

Anthony Giardina  
Executive Deputy Secretary of State

New York State  
Department of State  
Division of Corporations, State Records  
and Uniform Commercial Code  
41 State Street  
Albany, NY 12231  
www.dos.state.ny.us

140115000 415

CERTIFICATE OF AMENDMENT  
OF  
ARTICLES OF ORGANIZATION  
OF  
MF EST. LLC

*(Insert Name of Domestic Limited Liability Company)*

Under Section 211 of the Limited Liability Company Law

FIRST: The name of the limited liability company is: MF Est. LLC

If the name of the limited liability company has been changed, the name under which it was organized is: FMB Family Limited Liability Company.

SECOND: The date of filing of the articles of organization is: February 4, 1999.

THIRD: The amendment effected by this certificate of amendment is as follows: (Set forth each amendment in a separate paragraph providing the subject matter and full text of each amended paragraph. For example, an amendment changing the name of the limited liability company would read as follows: Paragraph First of the Articles of Organization relating to the limited liability company name is hereby amended to read as follows: *First: The name of the limited liability company is ... (new name) ...*)

Effective January 1, 2014, Paragraph SIXTH of the Articles of Organization relating to management of the entity is hereby deleted in its entirety and replaced with the following:

SIXTH: The limited liability company is to be managed by (check appropriate box):

- 1 or more members
- A class or classes of members
- 1 or more managers
- A class or classes of managers.

X Barbara Silberberg  
(Signature)

Barbara Silberberg  
(Type or print name)

Authorized Signer  
(Title of signor)

DOS-1358 (Rev. 6/06)

415

CERTIFICATE OF AMENDMENT  
OF  
ARTICLES OF ORGANIZATION  
OF  
MF EST. LLC

Under Section 211 of the Limited Liability Company Law

Filed by: Barbara Silberberg  
(Name)  
c/o RD Management LLC  
810 Seventh Avenue, 10<sup>th</sup> Floor  
(Mailing address)  
New York, NY 10019  
(City, State and Zip Code)

*Ida*  
STATE OF NEW YORK  
DEPARTMENT OF STATE  
FILED JAN 15 2014  
TAXS 0  
FEE 2  
2014 JAN 15 PM 1:00  
FILED

RECEIVED  
2014 JAN 15 AM 10:07

442

***STATE OF NEW YORK***  
***DEPARTMENT OF STATE***

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on March 25, 2016.

*Anthony Giardina*

Anthony Giardina  
Executive Deputy Secretary of State

110630000 099

New York State  
Department of State  
Division of Corporations, State Records  
and Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, NY 12231  
www.dos.state.ny.us

CERTIFICATE OF CHANGE  
OF

MF EST. LLC

(Insert Name of Domestic Limited Liability Company)

Under Section 211-A of the Limited Liability Company Law

FIRST: The name of the limited liability company is:

MF EST. LLC

If the name of the limited liability company has been changed, the name under which it was organized is:

SECOND: The date of filing of the articles of organization is: FEBRUARY 4, 1999

THIRD: The change(s) effected hereby are: [Check appropriate statement(s)]

The county location, within this state, in which the office of the limited liability company is located, is changed to:

The address to which the Secretary of State shall forward copies of process accepted on behalf of the limited liability company is changed to read in its entirety as follows: Jay Furman  
C/O RD MANAGEMENT LLC, 810 SEVENTH AVE, 10TH FLOOR, NEW YORK, NY 10019

The limited liability company hereby: [check one]

Designates \_\_\_\_\_  
as its registered agent upon whom process against the limited liability company may be served.  
The street address of the registered agent is:

Changes the designation of its registered agent to: \_\_\_\_\_  
The street address of the registered agent is:

Changes the address of its registered agent to:

Revokes the authority of its registered agent.

X \_\_\_\_\_  
(Signature)  
JAY FURMAN  
(Type or print name)  
MEMBER  
(Title of signer)

110630000099

CERTIFICATE OF CHANGE  
OF

MF EST. LLC

*(Insert Name of Domestic Limited Liability Company)*

Under Section 211-A of the Limited Liability Company Law

Filed by: STANLEY TANZER  
*(Name)*  
810 SEVENTH TH AVE, 10FL  
*(Mailing address)*  
NEW YORK, NY, 10019  
*(City, State and ZIP code)*

NOTE: This form was prepared by the New York State Department of State for filing a certificate of change by a domestic limited liability company. You are not required to use this form. You may draft your own form or use forms available at legal supply stores. The Department of State recommends that legal documents be prepared under the guidance of an attorney. The certificate must be submitted with a \$30 filing fee made payable to the Department of State.

*(For office use only)*

STATE OF NEW YORK  
DEPARTMENT OF STATE  
FILED JUN 30 2011  
TAXS  
BY: MBL

096

***STATE OF NEW YORK***  
***DEPARTMENT OF STATE***

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on March 25, 2016.

*Anthony Giardina*

Anthony Giardina  
Executive Deputy Secretary of State

CSC 45

F990204000600

ARTICLES OF ORGANIZATION

OF

FMB FAMILY-LIMITED LIABILITY COMPANY

Under Section 203 of the New York Limited Liability Company Law

FIRST. The name of the limited liability company is FMB FAMILY LIMITED LIABILITY COMPANY.

SECOND. The county within this state in which the office of the limited liability company is to be located is Nassau.

THIRD. The latest date on which the limited liability company is to dissolve is December 31, 2050.

FOURTH. The Secretary of State is designated as agent of the limited liability company upon whom process against it may be served. The post office address within or without this state to which the Secretary of State shall mail a copy of any process against the limited liability company served upon him or her is c/o Barbara Murray, 115 Cedar Avenue, Hewlett Bay Park, NY 11557.

FIFTH. The effective date of the Articles of Organization shall be the date of filing.

SIXTH. The limited liability company is to be managed by (check appropriate box)

1 or more members

A class or classes of members

1 or more managers

A class or classes of managers

IN WITNESS WHEREOF, this certificate has been subscribed this 4th day of February 1999, by the undersigned who affirms that the statements made herein are true under the penalties of perjury.

*Karl Wagner*  
Karl Wagner, Organizer



F990204000600

CSC 45

ARTICLES OF ORGANIZATION

OF

FMB FAMILY LIMITED LIABILITY COMPANY

UNDER SECTION 203 OF THE NEW YORK LIMITED LIABILITY COMPANY LAW

FILED

FEB 4 3 40 PM '99

1cc

STATE OF NEW YORK  
DEPARTMENT OF STATE

FILED FEB 04 1999

TAXS

BY: pal

pal

Filed By

NEWMAN TANNENBAUM HELPERN  
SYRACUSE & HIRSCHTRITZ LLP  
900 Third Avenue  
New York, New York 10022  
(212) 508-6700

123 926596

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990204000634

***STATE OF NEW YORK***

***DEPARTMENT OF STATE***

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on March 25, 2016.

*Anthony Giardina*

Anthony Giardina  
Executive Deputy Secretary of State

F 990709 0 00 438  
Affidavit of Publication

County of Nassau, }  
State of New York. } SS:

AMEL JOHNSON being duly sworn, deposes and says that she is the Principal Clerk of The Publisher of

The ~~Wanted~~ Wanted Seaforu Citizen

a weekly newspaper published at Wanted in the County of Nassau, in the State of New York, and that a notice, a printed copy of which is hereto annexed, has been published in said newspaper once in each week for

Six (6) weeks viz:

4/22/29/1999

5/6/13/20/27/1999

WDC#314

Sworn to before me this 27<sup>th</sup> day of MAY 19 99

*Mame Taylor*  
Notary Public, State of New York

Notice of LLC: First Family Limited Liability Company, Arts of Org. filed NY Sec. of State on 02/24/99, Filing of, Inc. in Nassau Co. Sec. of State. If you are a member of LLC upon this notice, please contact me by e-mail or by phone at my office at my address to O/O Business Manager, 115 Cedar Avenue, Hewlett Seaforu, NY 11547. Latest date upon which the LLC is to dissolve: 12-31-2000. Purpose of LLC: to purchase, own, develop, lease, finance, manage, and sell real estate and to acquire and manage other assets.  
WDC 22164 4/22, 28, 5/4, 13, 20, 27

MAME TAYLOR  
NOTARY PUBLIC, State of New York  
No. 017A5075210  
Qualified in Nassau County  
My Commission Expires 3/31/01

F 990709 0.00 438

**AFFIDAVIT OF PUBLICATION**

**FOR**

**FMB FAMILY LIMITED LIABILITY COMPANY**

*Pursuant to Section 206 of the New York Limited Liability Company Law*

1cc  
STATE OF NEW YORK  
DEPARTMENT OF STATE  
FILED JUL 0 9 1999  
TAX S \_\_\_\_\_  
BY: LAS

**Filer: Newman Tannenbaum Helpert Syracuse & Hirschtritt  
900 Third Avenue  
New York, New York 10022-4775**

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990709 0 00 467

**DRAWDOWN**

**NCR -26**

***STATE OF NEW YORK***

***DEPARTMENT OF STATE***

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on March 25, 2016.

*Anthony Giardina*

Anthony Giardina  
Executive Deputy Secretary of State

Affidavit of Publication

F 990709 0 00 443

STATE OF NEW YORK }  
COUNTY OF NASSAU, }

Joyce MacMonigle  
being duly sworn deposed and say that she is the Principal Clerk of THE LEADER: a weekly newspaper published in Freeport, New York, in the County of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, was published in said newspaper once for (.....six.....) successive weeks, viz:

April 22, 29, May 6, 13, 20 & 27, 1999

Name of LLC: FMB Family Limited Liability Company, A/C of C/O. Inc. NY Sec. of State on 02-04-99. Princ. off. loc. in Nassau Co. Sec. of State designated as off. of LLC operations. process required if any be served. Sec. of State shall mail copy of any process to c/o Business Mgmt. 115 Cedar Avenue, Hempstead Harbor, NY 11557. Latest date upon which the LLC is to dissolve: 12-31-2000. Purpose of LLC: to develop, own, finance, manage, operate and sell real estate and to acquire and manage business assets.  
B. E. 608 of 4/22-29, 5/6, 13, 20-27

*Joyce MacMonigle*

Sworn to before me this 27th day

of May, 19 99.

*Erin E. Groder*  
Notary Public Nassau County, N.Y.

E. ANNE CRODER  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01GR5974442  
QUALIFIED IN NASSAU COUNTY  
COMMISSION EXPIRES 07/24/01

1

F990709 0 00 443

**AFFIDAVIT OF PUBLICATION**

**FOR**

**FMB FAMILY LIMITED LIABILITY COMPANY**

*Pursuant to Section 206 of the New York Limited Liability Company Law*

*lee*  
STATE OF NEW YORK  
DEPARTMENT OF STATE

FILED JUL 09 1999

TAX S

BY:

LAS

**Filer: Newman Tannenbaum Helpern Syracuse & Hirschtritt  
900 Third Avenue  
New York, New York 10022-4775**

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**DRAWDOWN**

**NCR -26**

***STATE OF NEW YORK***

***DEPARTMENT OF STATE***

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.

WITNESS my hand and official seal of the Department of State, at the City of Albany, on March 25, 2016.



*Anthony Giardina*

Anthony Giardina  
Executive Deputy Secretary of State



f 010209000 508

CSC 45

**CERTIFICATE OF AMENDMENT  
OF  
ARTICLES OF ORGANIZATION  
OF  
FMB FAMILY LIMITED LIABILITY COMPANY**

Under Section 211 of the Limited Liability Company Law

**FIRST:** The name of the limited liability company is: FMB Family Limited Liability Company.

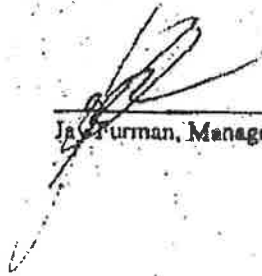
**SECOND:** The date of filing of the Articles of Organization is: February 4, 1999.

**THIRD:** The amendment effected by this Certificate of Amendment is as follows:

✓ Paragraph First of the Articles of Organization relating to the name of the limited liability company is hereby amended to read as follows:

"The name of the limited liability company is MF Est. L.L.C."

**IN WITNESS WHEREOF**, the undersigned has subscribed this Amendment this 7<sup>th</sup> day of February, 2001.

  
\_\_\_\_\_  
Jay Furman, Manager

C:\CertOfAmend-ArtOfOrg-fmb.wpd



***STATE OF NEW YORK***  
***DEPARTMENT OF STATE***

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on November 5, 2013.

*Anthony Giardina*

Anthony Giardina  
Executive Deputy Secretary of State

131105000451

ARTICLES OF ORGANIZATION

OF

FB GREENBUSH LLC

Under Section 203 of the New York Limited Liability Company Law

**First:** The name of the limited liability company is FB Greenbush LLC.

**Second:** The county within this state in which the office of the limited liability company is to be located is New York.

**Third:** The Secretary of State is designated as agent of the limited liability company upon whom process against it may be served. The post office address within or without this state to which the Secretary of State shall mail a copy of any process against the limited liability company served upon him or her is c/o RD Management LLC, 810 Seventh Avenue, 10<sup>th</sup> Floor, New York, NY 10019.

**Fourth:** The effective date of the Articles of Organization shall be the date of the filing.

**Fifth:** The limited liability company is to be managed by (check appropriate selection):

- 1 or more members
- A class or classes of members
- 1 or more managers
- A class or classes of managers

Dated: November 4, 2013.

Barbara Silberberg  
Barbara Silberberg, Organizer

451

Articles of Organization  
of

**FB GREENBUSH LLC**

(List Entity Name)

Under Section 203 of the Limited Liability Company Law

Filed by: Barbara Silberberg  
(Name)  
c/o RD Management LLC  
810 Seventh Avenue, 10<sup>th</sup> Floor  
(Mailing address)  
New York, NY 10019  
(City, State and Zip Code)

ICC  
STATE OF NEW YORK  
DEPARTMENT OF STATE  
FILED NOV - 5 2013  
TAX S \_\_\_\_\_  
BY: MT

RECEIVED  
2013 NOV - 5 PM 12: 05

FILED  
2013 NOV - 5 PM 12: 45

482

FILING RECEIPT

=====

ENTITY NAME: FB GREENBUSH LLC

DOCUMENT TYPE: ARTICLES OF ORGANIZATION (DOM LLC)

COUNTY: NEWY

=====

FILED:11/05/2013 DURATION:\*\*\*\*\* CASH#:131105000482 FILM #:131105000451  
DOS ID:4482626

FILER:

EXIST DATE

-----  
BARBARA SILBERBERG  
C/O RD MANAGEMENT LLC  
810 SEVENTH AVENUE 10TH FLOOR  
NEW YORK, NY 10019

-----  
11/05/2013

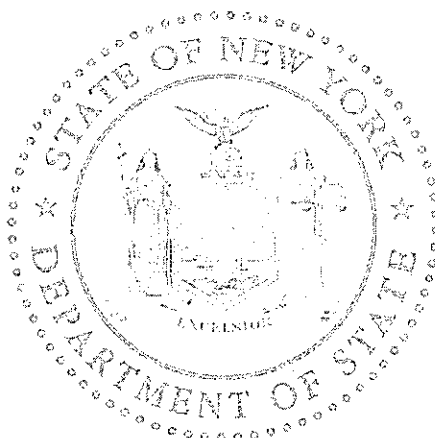
ADDRESS FOR PROCESS:

-----  
C/O RD MANAGEMENT LLC  
810 SEVENTH AVENUE  
NEW YORK, NY 10019

10TH FLOOR

REGISTERED AGENT:

-----



The limited liability company is required to file a Biennial Statement with the Department of State every two years pursuant to Limited Liability Company Law Section 301. Notification that the biennial statement is due will only be made via email. Please go to [www.email.ebiennial.dos.ny.gov](http://www.email.ebiennial.dos.ny.gov) to provide an email address to receive an email notification when the Biennial Statement is due.

=====

SERVICE COMPANY: \*\* NO SERVICE COMPANY \*\*

SERVICE CODE: 00 \*

FEES 260.00  
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FILING 200.00  
TAX 0.00  
CERT 0.00  
COPIES 10.00  
HANDLING 50.00

PAYMENTS 260.00  
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CASH 0.00  
CHECK 0.00  
CHARGE 260.00  
DRAWDOWN 0.00  
OPAL 0.00  
REFUND 0.00

=====

**JAMES J. DEAN**  
Superintendent of Highways  
Roadmaster IV

Orangetown Representative:  
R.C. Soil and Water Conservation Dist.-Chairman  
Stormwater Consortium of Rockland County  
Rockland County Water Quality Committee




**HIGHWAY DEPARTMENT**  
**TOWN OF ORANGETOWN**  
119 Route 303 · Orangeburg, NY 10962  
(845) 359-6500 · Fax (845) 359-6062  
E-Mail – [highwaydept@orangetown.com](mailto:highwaydept@orangetown.com)

**Affiliations:**  
American Public Works Association NY Metro Chapter  
NYS Association of Town Superintendents of Highways  
Hwy. Superintendents' Association of Rockland County

## MEMORANDUM

**TO:** Town Board

**FROM:** James J. Dean, Superintendent of Highways 

**DATE:** April 12, 2023

**RE:** **Award Bid for Industrial Service Uniform Bid**

---

Please be advised I respectfully recommend the above referenced Industrial Service Uniforms Contract be awarded to American Wear Uniforms, the only bidder.

For your information, the current contract cost per person is \$1.87 per employee, per week.

**Please add the following item to the Town Board Workshop Agenda of April 25, 2023:**

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for Industrial Service Uniforms, which were received and publicly opened on March 30, 2023. Now, Therefore, Be It

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby awards this bid to American Wear Uniforms, East Orange, N.J., the only bidder, at a price of \$1.96 per employee, per week for a two (2) year contract period.

JJD/Kf  
Attachment







**JAMES J. DEAN**  
Superintendent of Highways  
Roadmaster IV

Orangetown Representative:  
R.C. Soil and Water Conservation Dist.-Chairman  
Stormwater Consortium of Rockland County  
Rockland County Water Quality Committee




**HIGHWAY DEPARTMENT**  
**TOWN OF ORANGETOWN**  
119 Route 303 • Orangeburg, NY 10962  
(845) 359-6500 • Fax (845) 359-6062  
E-Mail – [highwaydept@orangetown.com](mailto:highwaydept@orangetown.com)

Affiliations:  
American Public Works Association NY Metro Chapter  
NYS Association of Town Superintendents of Highways  
Hwy. Superintendents' Association of Rockland County

## MEMORANDUM

**TO:** Town Board

**FROM:** James J. Dean, Superintendent of Highways 

**DATE:** April 14, 2023

**RE:** **Award Bid for Gilbert Avenue Pedestrian Refuge Island**

---

**Please add the following item to the Town Board Workshop Agenda of April 25, 2023:**

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for the Gilbert avenue Pedestrian Refuge Island which were received and publicly opened on April 13, 2023. Now, Therefore, Be It

RESOLVED, upon the recommendation from the Superintendent of Highways, that the Town Board hereby awards this bid Morano Brothers Corp., Croton on Hudson, N.Y., the low bidder, in the amount of \$47,911.50. \$26,000.00 to be charged to A. 5410.457.00, \$11,256.05 to be charged to A.3310.457.00 and \$10,655.45 to be charged to H.3310.200.03.

JJD/Kf  
Attachment



BID OPENING TIME 11:00AM DATE April 13, 2023

CONTRACTOR NAME & ADDRESS

*A-Tech Concrete  
Edison NY*

*MORAND Bros  
CROTON ON  
HUDSON NY*

DATE RECEIVED	4/13/23	4/13/23				
TIME RECEIVED	9:00A	10:13A				
NON COLLUSION STATEMENT	✓	✓				
BID BOND or CERTIFIED CHECK	✓	✓				

ITEM No. 203.02 - Unclassified Excavation & Disposal / Unit CY/ Quantity 4.5

UNIT PRICE	\$ 2500.00	\$ 750.00	\$	\$	\$	
PRICE	\$ 11,250.00	\$ 3375.00	\$	\$	\$	

ITEM No. 304.11000008 - Crushed Stone Aggregate Subbase Course / Unit CY/ Quantity 2.6

UNIT PRICE	\$ 2000.00	\$ 900.00	\$	\$	\$	
PRICE	\$ 5200.00	\$ 2340.00	\$	\$	\$	

ITEM No. 608.0101 - Concrete Sidewalks / Unit CY/ Quantity 1.9

UNIT PRICE	\$ 3000.00	\$ 3500.00	\$	\$	\$	
PRICE	\$ 5700.00	\$ 6650.00	\$	\$	\$	

ITEM No. 608.01050115 - Curb Ramp Type 1 / Unit EA/ Quantity 2

UNIT PRICE	\$ 3500.00	\$ 6000.00	\$	\$	\$	
PRICE	\$ 7000.00	\$ 12000.00	\$	\$	\$	

ITEM No. 609.0405 - Cast-In-Place Concrete Curb Type M100 / Unit LF/ Quantity 44.0

UNIT PRICE	\$ 275.00	\$ 150.00	\$	\$	\$	
PRICE	\$ 12100.00	\$ 6600.00	\$	\$	\$	

ITEM No. 627.50140008 - Cutting Pavement / Unit LF/ Quantity 53

UNIT PRICE	\$ 25.00	\$ 6.00	\$	\$	\$	
PRICE	\$ 1325.00	\$ 318.00	\$	\$	\$	

ITEM No. 619.01 - Basic Work Zone Traffic Control / Unit LS / Quantity 1

UNIT PRICE	\$ 25000.00	\$ 15000.00	\$	\$	\$	
PRICE	\$ 25000.00	\$ 15000.00	\$	\$	\$	

ITEM No. 699.040001 - Mobilization / Unit LS/ Quantity 1

UNIT PRICE	\$ 2000.00	\$ 1625.50	\$	\$	\$	
PRICE	\$ 2000.00	\$ 1625.50	\$	\$	\$	

Grand Total	\$ 69,575.00	\$ 47911.50	\$	\$	\$	
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**JAMES J. DEAN**  
Superintendent of Highways  
Roadmaster IV

Orangetown Representative:  
R.C. Soil and Water Conservation Dist.-Chairman  
Stormwater Consortium of Rockland County  
Rockland County Water Quality Committee



**HIGHWAY DEPARTMENT**  
**TOWN OF ORANGETOWN**  
119 Route 303 • Orangeburg, NY 10962  
(845) 359-6500 • Fax (845) 359-6062  
E-Mail – [highwaydept@orangetown.com](mailto:highwaydept@orangetown.com)

Affiliations:  
American Public Works Association NY Metro Chapter  
NYS Association of Town Superintendents of Highways  
Hwy. Superintendents' Association of Rockland County

## MEMORANDUM

DATE: April 17, 2023  
TO: Town Board  
FROM: James J. Dean, Superintendent of Highways   
RE: **RENAME PRIVATE RIGHT OF WAY/ PATH OF HEROES WAY**

---

Please place the following item on the April 25, 2023 Town Board Agenda:

**RESOLVED**, that upon the recommendation of Superintendent of Highways and with review and approval by Rockland County Office of Fire & Emergency Services and the Town Attorney's Office, request by residents of Western Highway, Tappan, to rename private right of way- Path of Heroes Way, private road – is hereby approved, and be it

**RESOLVED FURTHER**, that the Orangetown Highway Department is hereby authorized to install the road signs.

JJD:kf



TOWN OF ORANGETOWN  
SPECIAL USE PERMIT FOR USE OF TOWN PROPERTY/ITEMS

PERMIT # 23-SP-010

RECEIVED  
APR 11 2023  
Orangetown Police Department

EVENT NAME: TAPPAN MEMORIAL DAY PARADE

APPLICANT NAME: CARL A. SCHELIN POST 171 VOL. FIRE ASSN. OF TAPPAN

ADDRESS: PO BOX 105 TAPPAN, NY 10983

PHONE #: 845-821-8434 CELL # SOME FAX # \_\_\_\_\_

CHECK ONE: PARADE  RACE/RUN/WALK \_\_\_\_\_ OTHER \_\_\_\_\_

The above event will be held on MAY 29, 2023 from 10 AM to 1 PM RAIN DATE: \_\_\_\_\_

Location of event: WESTERN HWY TO GREENBUSH RD TO OLD TAPPAN RD TO MAIN ST

Sponsored by: AMERICAN LEGION POST 171 & V.F.W. Telephone #: 845-821-8434

Address: PO BOX 105 - TAPPAN, NY 10983

Estimated # of persons participating in event: 400 vehicles 20

Person (s) responsible for restoring property to its original condition: Name-Address-Phone #:  
MICHAEL SEEBACH PO BOX 105 - TAPPAN, NY 10983

Signature of Applicant: M. Deval Seebach Date: 3-29-23

GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS/POLICE)

Letter of Request to Town Board requesting aid for event - Received On: 3/30/23

Certificate of Insurance - Received On: 3/30/23

FOR HIGHWAY DEPARTMENT USE ONLY:

Road Closure Permit  N - Received On: 4/3/23

Rockland County Highway Dept. Permit: Y / N - Received On: Applied

NYSDOT Permit: Y  N - Received On: X

Route/Map/Parking Plan  N - Received On: 3/30/23

RFS #: 55215 BARRICADES: Y / N CONES: Y /  N TRASH BARRELS: Y /  N OTHER: (2) Message Boards

APPROVED: [Signature] DATE: 4-4-23  
Superintendent of Highways

FOR PARKS & RECREATION DEPARTMENT USE ONLY:

Show Mobile: Y  N - Application Required: \_\_\_\_\_ Fee Paid - Amount/Check # \_\_\_\_\_

Port-o-Sans: Y /  N Other: \_\_\_\_\_

APPROVED: [Signature] DATE: 4/7/23  
Superintendent of Parks & Recreation

FOR POLICE DEPARTMENT USE ONLY:

Police Detail: Y /  N: Auxiliary Items: \_\_\_\_\_

APPROVED: [Signature] DATE: 4/12/23  
Chief of Police

\*\* Please return to the Highway Department to be placed on the Town Board Workshop \*\*

Workshop Agenda Date: 4/25/23 Approved On: \_\_\_\_\_ TBR #: \_\_\_\_\_

RECEIVED

MAR 30 2023

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

RECEIVED

APR 11 2023

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

**JAMES J. DEAN**  
Superintendent of Highways  
Roadmaster IV

Orangetown Representative:  
R.C. Soil and Water Conservation Dist.-Chairman  
Stormwater Consortium of Rockland County  
Rockland County Water Quality Committee

RECEIVED



**HIGHWAY DEPARTMENT**  
**TOWN OF ORANGETOWN**  
119 Route 303 • Orangeburg, NY 10962  
(845) 359-6500 • Fax (845) 359-6062  
E-Mail – [highwaydept@orangetown.com](mailto:highwaydept@orangetown.com)

Affiliations:  
American Public Works Association NY Metro Chapter  
NYS Association of Town Superintendents of Highways  
Hwy. Superintendents' Association of Rockland County

APR 03 2023

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

**ROAD CLOSING PERMIT APPLICATION**  
**Section 139 Highway Law**

NAME Carl A. Schelin Post 1271 American Legion/ VFAT / Tappan Reformed Church DATE 3/24/23

COMPANY Carl A. Schelin Post 1271 American Legion/ VFAT/ Tappan Reformed Church

ADDRESS PO Box 105 Tappan, NY 10983

TELEPHONE 845-821-8434- Michael Seebach- Commander Post 1271

**(INCLUDE 24 HOUR EMERGENCY NUMBERS)**

ABOVE MENTIONED PARTY REQUESTS PERMISSION TO CLOSE:

Greenbush Road, Tappan

(Address number and name of road)

Between Old Tappan Road and Kings Highway

(Intersecting streets and/or description of exact location)

REASON FOR CLOSING Memorial Day Parade & Service

DATE OF CLOSING 5/29/23 RAIN DATE None

TIME ROAD WILL BE CLOSED 10am-2pm

WILL ROAD BE OPEN TO LOCAL TRAFFIC? no

WILL ROAD BE OPEN TO EMERGENCY VEHICLES? yes

**TRAFFIC CONTROL PLAN: PLEASE PROVIDE A DETAILED MAP AND DESCRIPTION OF DETOUR.**

PRELIMINARY APPROVAL  DATE 4.5.23

JAMES J. DEAN  
SUPERINTENDENT OF HIGHWAYS

*This permit application will be forwarded to the Rockland County Superintendent of Highways, County of Rockland, 23 New Hempstead Road, New City, NY, 10956. You will receive written confirmation from that office.*

8-13-02bjd

HAMLETS: PEARL RIVER · BLAUVELT · ORANGETOWN · TAPPAN · SPARKILL · PALISADES · UPPER GRANDVIEW · SOUTH NYACK



CLEAN STREETS = CLEAN STREAMS

CARL A. SCHELIN POST No.1271

American Legion

P.O. Box 105  
Tappan, New York 10983



Chartered May 1945

RECEIVED

MAR 30 2023

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

March 29, 2023

Supervisor Teresa Kenny  
Town of Orangetown  
26 West Orangeburg Road  
Orangeburg, New York 10962

The Carl A Schelin American Legion Post, in conjunction with the Volunteer Fire Association of Tappan will hold their Memorial Day Service and Parade on Monday, May 29, 2023. We request the use of two mobile solar signs to advertise our Memorial Day Service.

We request one sign be placed in front of the Tappan Firehouse on Western Highway and the second be placed by the Tappan Memorial Triangle in front of the Tappan Reformed Church.

Both signs to read;

MEMORIAL DAY SERVICE & PARADE

TAPPAN MEMORIAL TRIANGLE

MONDAY, MAY 30 – 11AM

Signs operational from May 15 to May 29, 2023

The contact person is Michael Seebach – cell # (845) 821-8434

Thank You for your assistance.

MS

Michael Seebach

Commander

cc. James Dean, Superintendent of Highways

CARL A. SCHELIN POST No.1271

**American Legion**

P.O. Box 105  
Tappan, New York 10983



Chartered May 1945

RECEIVED

MAR 30 2023

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

March 28, 2023

Supervisor Teresa Kenny  
Town of Orangetown  
26 West Orangeburg Road  
Orangeburg, New York 10962

The Carl A. Schelin, American Legion Post #1271, in conjunction with the Volunteer Fire Association of Tappan and the Tappan Reformed Church will hold their annual Memorial Day Service and Parade on Monday, May 29, 2023.

We request the use of 20 barriers to be used for traffic control. It is also requested that 4 Auxiliary Police Officers and 2 Auxiliary Police Cars be assigned from 10 AM till 2 PM to assist in traffic control.

The contact person is Michael Seebach – cell # (845) 821-8434

Thank You for your assistance.

*MS*

Michael Seebach  
Commander

cc. James Dean, Superintendent of Highways



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/29/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Hubbinette Cowell Associates Inc. 1003 Park Blvd, Ste 3 Massapequa Park, NY 11762 RECEIVED	<b>CONTACT NAME:</b> Loretta Salerno <b>PHONE (A/C, No, Ext):</b> (516)795-1330 <b>E-MAIL ADDRESS:</b> loretta@hubbinette-cowell.com	<b>FAX (A/C, No):</b> (516)795-5101	
	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURED</b> Tappan Fire District PO Box 525 Tappan, NY 10983 MAR 30 2023 TOWN OF ORANGETOWN HIGHWAY DEPARTMENT	<b>INSURER A:</b> National Union Fire Ins. Co. of Pittsburgh, PA		<b>19445</b>
	<b>INSURER B:</b> National Union Fire Inc. Co. of Pittsburgh, PA		<b>19445</b>
	<b>INSURER C:</b>		
	<b>INSURER D:</b>		
	<b>INSURER E:</b>		
	<b>INSURER F:</b>		

**COVERAGES**      **CERTIFICATE NUMBER:** 00001114-213448      **REVISION NUMBER:** 25

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL/SUBR INSD/WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER	Y	VFNU-TR-0014556	06/15/2022	06/15/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/OP AGG \$ 10,000,000
B	AUTOMOBILE LIABILITY ANY AUTO <input checked="" type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY	Y	VFNU-TR-0014556	06/15/2022	06/15/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	Y	VFNU-TR-0014556	06/15/2022	06/15/2023	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 6,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A				PER STATUTE OTH-ER E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$
A	Business Pers Prop		VFNU-TR-0014556	06/15/2022	06/15/2023	\$1,000 deductible \$229,353

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

PROOF OF INSURANCE FOR MEMORIAL DAY CEREMONY TO BE HELD ON MAY 29, 2023. THE CERTIFICATE HOLDER, AMERICAN LEGION POST 1271 AND THE COUNTY OF ROCKLAND HIGHWAY DEPT. ARE NAMED AS ADDITIONAL INSURED AS PER FORM #VGL101.

CERTIFICATE HOLDER

CANCELLATION

TOWN OF ORANGETOWN  
 26 ORANGEBURG ROAD  
 ORANGEBURG, NY 10962

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Paul A. Cowell Jr.

(LGS)

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# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/22/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> <b>Hubbinette Cowell Associates Inc.</b> 1003 Park Blvd, Ste 3 Massapequa Park, NY 11762  <b>INSURED</b> <b>Tappan Fire District</b> PO Box 525 Tappan, NY 10983	<b>CONTACT NAME:</b> Rosanne Capuano <b>PHONE (A/C, No, Ext):</b> (516)795-1330 <b>FAX (A/C, No):</b> (516)795-5101 <b>E-MAIL ADDRESS:</b> rosanne@hubbinette-cowell.com  <b>INSURER(S) AFFORDING COVERAGE</b> <span style="float: right;">NAIC #</span> <b>INSURER A:</b> National Union Fire Ins. Co. of Pittsburgh, PA <span style="float: right;">19445</span> <b>INSURER B:</b> National Union Fire Inc. Co. of Pittsburgh, PA <span style="float: right;">19445</span> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>
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**COVERAGES** CERTIFICATE NUMBER: 00001114-164839 REVISION NUMBER: 15

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

TYPE OF INSURANCE	ADDL SUBR INSD. WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
<b>X</b> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <b>X</b> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <b>X</b> POLICY <b>PRO-JECT</b> <b>LOC</b> OTHER:	<b>Y</b>	<b>VFNU-TR-0014556</b>	06/15/2022	06/15/2023	EACH OCCURRENCE \$ <b>1,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>1,000,000</b> MED EXP (Any one person) \$ <b>10,000</b> PERSONAL & ADV INJURY \$ <b>1,000,000</b> GENERAL AGGREGATE \$ <b>10,000,000</b> PRODUCTS - COMP/OP AGG \$ <b>10,000,000</b>
AUTOMOBILE LIABILITY ANY AUTO <b>X</b> OWNED AUTOS ONLY <b>X</b> SCHEDULED AUTOS <b>X</b> HIRED AUTOS ONLY <b>X</b> NON-OWNED AUTOS ONLY	<b>Y</b>	<b>VFNU-TR-0014556</b>	06/15/2022	06/15/2023	COMBINED SINGLE LIMIT (Ea accident) \$ <b>1,000,000</b> BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
UMBRELLA LIAB <b>X</b> OCCUR <b>X</b> EXCESS LIAB CLAIMS-MADE DED RETENTION \$	<b>Y</b>	<b>VFNU-TR-0014556</b>	06/15/2022	06/15/2023	EACH OCCURRENCE \$ <b>3,000,000</b> AGGREGATE \$ <b>6,000,000</b>
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

ROOF OF INSURANCE FOR USE OF MESSAGE BOARD FOR UPCOMING EVENTS. CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED AS PER FORM #VGL101.

**CERTIFICATE HOLDER** **CANCELLATION**

<b>TOWN OF ORANGETOWN</b> 26 ORANGEBURG ROAD ORANGEBURG, NY 10962	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  (RMC)
---	--



## Portable Toilet Request Form

The Town of Orangetown accepts requests for portable toilets from not-for-profit groups for their events and programs. Applications must be submitted 8 weeks prior to the event. In case of any changes, the organization must contact Mark Albert at [malbert@orangetown.com](mailto:malbert@orangetown.com) no later than 48 hours prior to the event.

### Event Information

---

**Event Name \*** Tappan Reformed Church Spring Fling

**Event Location Name \*** TRC Manse Lawn

**Event Address \***

Street Address  
32 Old Tappan Road  
Address Line 2

City Tappan State / Province / Region NY

Postal / Zip Code 10983 Country United States

**Event Start Date \*** 5/13/2023  
02:00:00 PM

**Event End Date \*** 5/13/2023  
07:00:00 PM

**Set-up Info \*** Please describe the exact location the units should be placed on the event site  
Can you please place them at back of parking lot (same location as Fall Fling in October)

**Number of regular units required \*** 2

**Number of ADA units required \*** 1

**Total Number of units required \*** 3

### Applicant Information

---

**Applicant First Name \*** Taryn

**Applicant Last Name \*** Doyle

**Organization Name \*** Tappan Reformed Church

**Organization Not For Profit?\***  Yes  
 No

**Organization Address\***

Street Address

32 Old Tappan Road

Address Line 2

City

Tappan

Postal / Zip Code

10983

State / Province / Region

NY

Country

United States

**Phone (w)\***

5165210771

**Phone (c)\***

5165210771

**Email\***

trcfallfling@gmail.com

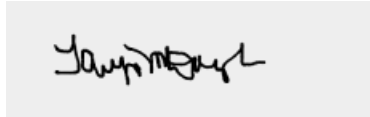
**Certificate of Insurance\***

2022-2023 Master Certificate - Town of  
Orangetown.pdf

22.63KB

Certificate must list the Town of Orangetown as additional Insured

**Signature\***

A rectangular box containing a handwritten signature in black ink. The signature is cursive and appears to read "J. M. [unclear]".



## Portable Toilet Request Form

The Town of Orangetown accepts requests for portable toilets from not-for-profit groups for their events and programs. Applications must be submitted 8 weeks prior to the event. In case of any changes, the organization must contact Mark Albert at [malbert@orangetown.com](mailto:malbert@orangetown.com) no later than 48 hours prior to the event.

### Event Information

**Event Name \*** Relay For Life of Rockland

**Event Location Name \*** Hudson valley iCampus

**Event Address \***

Street Address	
401 N Middletown Rd	
Address Line 2	
APT D	
City	State / Province / Region
Pearl River	New York
Postal / Zip Code	Country
10965	United States

**Event Start Date \*** 5/20/2023  
12:00:00 PM

**Event End Date \*** 5/20/2023  
11:00:00 PM

**Set-up Info \*** Please describe the exact location the units should be placed on the event site  
Hudson Valley iCampus lot to the left when coming in off North Middletown Road, along the black fence with the building behind that is facing North Middletown Road.

**Number of regular units required \*** 3

**Number of ADA units required \*** 1

**Total Number of units required \*** 4

### Applicant Information

**Applicant First Name \*** Michael

**Applicant Last Name \*** Grella

**Organization Name \*** American Cancer Society

**Organization Not For Profit? \***  Yes  
 No

**Organization Address \***

Street Address

3380 Chastain Meadow Pkway

Address Line 2

Suite 200

City

Kennesaw

Postal / Zip Code

30303

State / Province / Region

Georgia

Country

United States

**Phone (w) \***

845-558-2328

**Phone (c) \***

845-558-2328

**Email \***

mgrella89@gmail.com

**Certificate of Insurance \***

lyoc\_15688057\_LIMRS563.pdf

102.87KB

Certificate must list the Town of Orangetown as additional Insured

**Signature \***



*Michael Grella*



## Application for Showmobile Use

### Showmobile Requirements

---

**Applications must be submitted to the Parks & Recreation Office no later than 8 weeks prior to your event in order to be placed on a Town Board agenda.**

**There are two pages to this application.** Please read and understand all items listed on page 1 (this page) and upload your certificate of insurance.

Click "next" to advance to page 2 and fill out all requested information.

Upload Certificate of Insurance\* lyoc\_15688057\_LIMRS563.pdf 102.87KB

**Before completing the Showmobile Request Form, please be aware of the following:**

- + The total area needed for the Showmobile is a space 50 feet in length, 15 feet in width and 25 feet in height.
- + Showmobile stage measures 28 feet long x 14 feet 7 inches deep x 25 feet high when open. One set of stairs is available with hand railings. (Please note that this measurement does not include the trailer hitch or the tow vehicle).
- + The lights require a 110 volt, 20 amp circuit to plug into within 150 feet of the right front side of the Showmobile. Additional electrical equipment must be plugged into a separate circuit.
- + The Showmobile must be parked in a relatively level space. The placement of the Showmobile is at the discretion of the Orangetown Parks & Recreation staff. Although every effort will be made to meet requests, this equipment does not go off road, over curbing, on uneven ground or over rough terrain.
- + The area must be free of obstructions such as overhanging tree limbs, electrical wires, etc.
- + The tow vehicle must remain with the Showmobile for the duration of the event.
- + In the event of winds in excess of 30 MPH, the stage canopy must be closed.
- + The Town seal is not to be covered and no nails, staples, tacks or tape may be used to attach any items to the Showmobile)
- + The organization will receive an emailed invoice after their event is complete. Payment is expected no later than 14 days after receipt of invoice.
- + A member of the organization renting the unit must be on site at time of arrival for proper set up as well as time of departure to assure all event tasks have been completed (i.e. removal of equipment)
- + Any changes/cancellations (unless otherwise agreed upon) to the event must be made 24 hours in advance by contacting Mark Albert at [malbert@orangetown.com](mailto:malbert@orangetown.com).

**Additional Requirements:**

- + Certificate of insurance required. Must name the Town of Orangetown as additionally insured.
- + Rental Costs: \$500.00 plus labor.

# Showmobile Application

## Event Information

**Event/Festival Name \*** Relay For Life of Rockland

**Event Location Name \*** Hudson Valley iCampus

**Event Address \***

Street Address  
401 N Middletown Rd  
Address Line 2  
City Pearl River State / Province / Region NY  
Postal / Zip Code 10965 Country US

**Setup Date & Time \*** 5/20/2023  
12:00:00 PM

**Take-Down Date & Time \*** 5/20/2023  
11:00:00 PM

**Stair Arrangement \***

Right side of stage  
 Left side of stage  
 Front of stage  
 Not Sure

**Set-up Info \***

Please describe in detail what the stage will be used for and how you intend to set it up. If you have a rain date, please list it here so long as all the information above is the same.

Stage will be used for DJ ,Survivor, Caregiving speakers and announcements throughout the event. It will be placed along the fence in the parking lot to the left off North Middletown Road.

**Placement \***

Pavement  
 Grass/Field  
 Other

## Applicant Information

**Applicant's Name \*** Michael Grella

**Organization Name \*** American Cancer Society

**Organization Address \*** 3380 Chastain Meadow

**Organization City \*** Kennesaw

**Organization State \*** Georgia

**Phone (w) \*** 845-558-2328

**Phone (c) \*** 845-558-2328

**Email\***

mgrella89@gmail.com

**Signature\***

*Michael Grella*

By checking this box and submitting this form, I acknowledge I have read, understand, accept, and agree to the above terms and conditions.

\*

I accept the terms and conditions

**Date**

2/11/2023

03:46:23 PM







## Application for Showmobile Use

### Showmobile Requirements

---

**Applications must be submitted to the Parks & Recreation Office no later than 8 weeks prior to your event in order to be placed on a Town Board agenda.**

**There are two pages to this application.** Please read and understand all items listed on page 1 (this page) and upload your certificate of insurance.

Click "next" to advance to page 2 and fill out all requested information.

**Upload Certificate of Insurance \*** 22-23 Master - The Town of Orangetown (2).pdf 27.23KB

**Before completing the Showmobile Request Form, please be aware of the following:**

- + The total area needed for the Showmobile is a space 50 feet in length, 15 feet in width and 25 feet in height.
- + Showmobile stage measures 28 feet long x 14 feet 7 inches deep x 25 feet high when open. One set of stairs is available with hand railings. (Please note that this measurement does not include the trailer hitch or the tow vehicle).
- + The lights require a 110 volt, 20 amp circuit to plug into within 150 feet of the right front side of the Showmobile. Additional electrical equipment must be plugged into a separate circuit.
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- + The area must be free of obstructions such as overhanging tree limbs, electrical wires, etc.
- + The tow vehicle must remain with the Showmobile for the duration of the event.
- + In the event of winds in excess of 30 MPH, the stage canopy must be closed.
- + The Town seal is not to be covered and no nails, staples, tacks or tape may be used to attach any items to the Showmobile)
- + The organization will receive an emailed invoice after their event is complete. Payment is expected no later than 14 days after receipt of invoice.
- + A member of the organization renting the unit must be on site at time of arrival for proper set up as well as time of departure to assure all event tasks have been completed (i.e. removal of equipment)
- + Any changes/cancellations (unless otherwise agreed upon) to the event must be made 24 hours in advance by contacting Mark Albert at [malbert@orangetown.com](mailto:malbert@orangetown.com).

**Additional Requirements:**

- + Certificate of insurance required. Must name the Town of Orangetown as additionally insured.
- + Rental Costs: \$500.00 plus labor.

# Showmobile Application

## Event Information

<b>Event/Festival Name *</b>	Earth Day	
<b>Event Location Name *</b>	St. Thomas Aquinas College	
<b>Event Address *</b>	Street Address Sparkill Address Line 2 City Pearl River Postal / Zip Code 10965	State / Province / Region NY Country United States
<b>Setup Date &amp; Time *</b>	4/21/2023 12:00:00 PM	
<b>Take-Down Date &amp; Time *</b>	4/23/2023 06:00:00 PM	
<b>Stair Arrangement *</b>	<input type="radio"/> Right side of stage <input type="radio"/> Left side of stage <input checked="" type="radio"/> Front of stage <input type="radio"/> Not Sure	
<b>Set-up Info *</b>	Please describe in detail what the stage will be used for and how you intend to set it up. If you have a rain date, please list it here so long as all the information above is the same. Entertainment and music	
<b>Placement *</b>	<input type="radio"/> Pavement <input checked="" type="radio"/> Grass/Field <input type="radio"/> Other	

## Applicant Information

<b>Applicant's Name *</b>	Angela McDonnell
<b>Organization Name *</b>	St Thomas Aquinas College
<b>Organization Address *</b>	St Thomas Aquinas College
<b>Organization City *</b>	Sparkill
<b>Organization State *</b>	NY
<b>Phone (w) *</b>	9176351025
<b>Phone (c) *</b>	9176351025
<b>Email *</b>	amcdonne@stac.edu

**Signature\***

*Angela McDonnell*

By checking this box and submitting this form, I acknowledge I have read, understand, accept, and agree to the above terms and conditions.

\*  I accept the terms and conditions

**Date** 3/2/2023  
11:00:10 AM



**WARRANT**

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<b>Warrant Reference</b>	<b>Warrant #</b>	<b>Amount</b>
Approved for payment in the amount of		
	041223	\$ 267,901.19
	041323	\$ 15,942.15
	042323	\$ 873.30
	042523	\$ 454,655.81
		\$ 739,372.45

The above listed claims are approved and ordered paid from the appropriations indicated.

**APPROVAL FOR PAYMENT**

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**AUDITING BOARD**

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Councilman Gerald Bottari

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Councilman Paul Valentine

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Councilman Thomas Diviny

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Councilman Brian Donohue

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Supervisor Teresa M. Kenny

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**TOWN OF ORANGETOWN  
FINANCE OFFICE MEMORANDUM**

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**TO:** THE TOWN BOARD  
**FROM:** JEFF BENCIK, *DIRECTOR OF FINANCE*  
**SUBJECT:** AUDIT MEMO  
**DATE:** 4/21/2023  
**CC:** DEPARTMENT HEADS



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The audit for the Town Board Meeting of 4/25/2023 consists of 4 warrants for a total of \$739,372.45.

The first warrant had 29 vouchers for \$267,901 and was for utilities.

The second warrant had 5 vouchers for \$15,942 and was for 207c payments.

The third warrant had 1 vouchers for \$873 and was for 207c medical.

The fourth warrant had 146 vouchers for \$454,655 and had the following items of interest.

1. Candle (p8) - \$15,000 for 1<sup>st</sup> payment of contract.
2. Commission of Taxation and Finance (p9) - \$16,412 for 1Q worker's comp board payment.
3. Custom conveyor (p11) - \$9,663 for Sewer plant parts.
4. Eagle Point Gun (p12) - \$9,419 for Police ammunition.
5. East Coast Emergency Lighting (p12) - \$8,570 for outfitting Building and Fire vehicles.
6. Gall's (p17) - \$8,522 for retainage return.
7. Global Montello (p19) - \$15,996 for fuel.
8. Goosetown Enterprises (p19) - \$8,050 for police equipment leases.
9. Hisco Pump (p20) - \$5,639 for replacement pump – Sewer.
10. NYS Unemployment Insurance (p23) - \$9,427 for unemployment insurance.
11. Office of Mental Health (p25) - \$16,927 for utilities.
12. Pace analytical services (p35) - \$13,395 for sewer testing.
13. Precision Electrical Motor Works (p39) - \$12,150 for replacement parts sewer.
14. Sealcoat USA (p45) - \$113,065 for crack seal various locations.

15. State Comptroller (p47) - \$37,597 for Justice Fines.
16. Swift Electrical Supply Co. (p48) - \$5,461 for splashpad electrical.
17. Van Bortel Chevrolet (p50) - \$45,033 for Police vehicle (bonded).

Please feel free to contact me with any questions or comments.

Jeffrey W. Bencik, CFA

845-359-5100 x2204