Due to the Demolition of the Old Town Hall Building around the time of this Event, we have

MOVED the EVENT to

Tappan Zee High School Parking Lot

(across the street) on Dutch Hill Road.

Auxiliary Police will be on hand to direct traffic

Saturday, October 14, 2023

8:00 a.m. – 11:30 a.m.

ORANGETOWN TOWN CLERK, ROSANNA SFRAGA
ROCKLAND GREEN - Reduce, Recycle, Recover
and PEOPLE TO PEOPLE
will host the
SEMI-ANNUAL PAPER SHREDDING and
NON-PERISHABLE FOOD COLLECTION EVENT

Shredding Service is FREE & SECURE

- Drive up to the Shredding Truck. **LIMIT 3 BOXES**.
- DO NOT get out of your vehicle. Someone will unload your documents from your vehicle.
- Paper Clips and Staples are Acceptable
- NO Plastic Bags, Binders, or Large Binder Clips
- Please bring Non-perishable Food items for donation to "People to People" a local food pantry.

Let's shred hunger together!

PEARL RIVER
FARMERS MARKET

Local Farms Craft Food & Drink Artisan Goods

FALL HARVEST FESTIVAL 2023

SATURDAYs 10am - 2pm

September 30/October 07, 21 & 28

The 'Harvest Festival' is a four-week long fall festival promoting local farmers, chefs, artists and artisans curated by 'The SOUK'. The event features farm provisions, craft foods & beverages, artisan goods, live music by regional musicians, activities, special offerings, and more…

CENTRAL AVENUE FIELD-PEARL RIVER, NY 10965

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 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Town of Orangetown Comprehensive Plan		
Project Location (describe, and attach a general location map): Town of Orangetown, Rockland County, New York		
Brief Description of Proposed Action (include purpose or need): The Town of Orangetown is updating its Comprehensive Plan for the first time since 2003 to establish a guiding framework for future sustainable development, economic growth, and natural resource preservation in the Town (the "Proposed Action" or "2022 Comprehensive Plan"). A Comprehensive Plan is a long-term planning document that establishes a community's goals and aspirations for the future, while providing a roadmap for how to achieve them. Upon adoption by the Town Board of the Town of Orangetown (the "Town Board"), the 2022 Comprehensive Plan would replace its predecessor, the Town of Orangetown 2003 Comprehensive Plan. [See Attached EAF Part 3]		
Name of Applicant/Sponsor: Town of Orangetown Town Board/Supervisor's Office	Telephone: (845) 359-5100 E-Mail: supervisor@orangetown.com	
Address: Orangetown Town Hall, 26 W. Orangeburg Road		
City/PO: Orangeburg	State: NY	Zip Code: 10962
Project Contact (if not same as sponsor; give name and title/role): Teresa M. Kenny, Supervisor	Telephone: (845) 359-5100 E-Mail: supervisor@orangetown.com	
Address: Orangetown Town Hall, 26 W. Orangeburg Road		
City/PO: Orangeburg	State: NY	Zip Code: 10962
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 Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	Town Board	September, 2022
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Planning Board - Referral	September, 2022
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☐No	Comprehensive Plan Committee - Referral	September, 2022
e. County agencies ☑Yes ☐No	Rockland County Planning Department - 239-m Referral	September, 2022
f. Regional agencies ☐Yes ☑No		
g. State agencies ☐Yes ☑No		
h. Federal agencies ☐Yes ☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☑Yes ☐No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes ☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

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):

Remediaton Sites:344082, Remediaton Sites:344011, Remediaton Sites:344042, Remediaton Sites:C344066, Remediaton Sites:C344073, Remediaton Sites:C344078, Remediaton Sites:V00579, Remediaton Sites:V00343, Remediaton Sites:C344080, Remediaton Sites:C344070, Remediaton Sites:V00317, Remediaton Sites:344037, Remediaton Sites:344072, Remediaton Sites:344003, Remediaton Sites:344021, Remediaton Sites:...

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?
Not Applicable (NA) - the Proposed Action involves the update of the Town Comprehensive Plan.

b. Is the use permitted or allowed by a special or conditional use permit? **NA** ☐ 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? Pearl River School District, South Orangetown School District, Nanuet Public Schools, Nyack Public Schools

b. What police or other public protection forces serve the project site?
Orangetown Police Department, Rockland County Sheriff

c. Which fire protection and emergency medical services serve the project site?
Blauvelt Volunteer Fire Co., Orangeburg FD, Pearl River FD, Piermont FD, Nyack FD, Tappan FD, Nyack Community Ambulance Corps, Pearl River Alumni Ambulance Corps, Rockland Paramedic Services, South Orangetown Ambulance Corps

d. What parks serve the project site?
Please refer to Chapter 7 of the attached Comprehensive Plan.

D. Project Details

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.

	One Family	Two Family	Three Family	Multiple Family (four or more)
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.

_____

_____

i*v.* 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

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)

_____

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_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (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 ½ 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.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

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

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 Covertype	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: _____

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:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

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:

_____

_____

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): 344082, 344011, 344042, C34...

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures:_____

_____

_____

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): 344017, 344082, 344011, 344042, C344066, C34407...

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ _____%
_____ _____%
_____ _____%

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: ☐ Well Drained: _____% of site
☐ Moderately Well Drained: _____% of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____% of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☑ Yes ☐ No
If Yes, describe: Palisades State Park

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 865-164, 865-168, 865-167, 865-163, 856-12, 865... Classification C(T), A, B, D, SC / C,...
- Lakes or Ponds: Name 865-28, 856-5 Classification B, B(T)
- Wetlands: Name Tidal Wetlands, Federal Waters, NYS Wetland, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) NA-9, NA-8, NA-14, NA-12, N...

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☑ Yes ☐ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____
Name - Pollutants - Uses:Hudson River (Class SB), portion – Priority Organics – Fish Consumption, Name - Pollutants - Uses:Pasc...

i. Is the project site in a designated Floodway? ☑ Yes ☐ No

j. Is the project site in the 100-year Floodplain? ☑ Yes ☐ No

k. Is the project site in the 500-year Floodplain? ☑ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑ Yes ☐ No
If Yes:

i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site: _____

_____ _____ _____

_____ _____ _____

n. Does the project site contain a designated significant natural community? ☑ Yes ☐ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

Cliff Community, Brackish Subtidal Aquatic Bed, Red Maple-Sweetgum Swamp, Brackish Tidal Marsh, Brackish Intertidal Mudflats

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: 14.12, 565.0, 55.64, 249.0, 28.0 acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

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? ☑ Yes ☐ No

If Yes:

i. Species and listing (endangered or threatened): _____

Eastern Grasswort, Listed Plant – contact NY Natural Heritage, Allegheny Woodrat, Bald Eagle, Glaucous Sedge, Mud Sunfish, Glan...

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? ☑ Yes ☐ No

If Yes:

i. Species and listing: _____

Ironcolor Shiner

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

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? ☐ Yes ☑ No

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☑ Yes ☐ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☑ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

Name of Landmark:Palisades of the Hudson, Acres:2027.97200052, Acres:683.60792779

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☑ Yes ☐ No

If Yes:

i. CEA name: Palisades Slope, Sparkill Creek, Piermont Pier, Upper Grandview & Environs, Run-Off-Area, Hudson River Area...

ii. Basis for designation: Protect open space & aesthetic beauty, Exceptional or unique character, Proximity to hillside, ru...

iii. Designating agency and date: Agency:Piermont, Village of, Agency:Orangetown, Town of, Agency:South Nyack, Village of...

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? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: Eligible property:Boces School, Rockland Middle School, Eligible property:Residence, Eligible property:JOHANNES BLAUV...

iii. 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? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ 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.

G. Verification

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

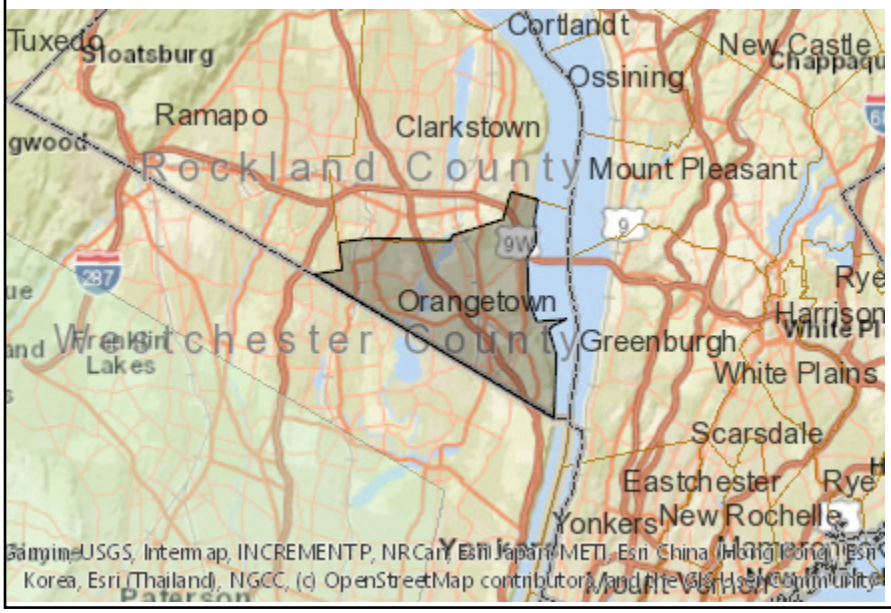
Applicant/Sponsor Name Town of Orangetown Town Board Date_____

Signature_____ Title Teresa Kenny, Supervisor

PRINT FORM

EAF Mapper Summary Report

Tuesday, September 13, 2022 4:14 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
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]	Remediaton Sites:344082, Remediaton Sites:344011, Remediaton Sites:344042, Remediaton Sites:C344066, Remediaton Sites:C344073, Remediaton Sites:C344078, Remediaton Sites:V00579, Remediaton Sites:V00343, Remediaton Sites:C344080, Remediaton Sites:C344070, Remediaton Sites:V00317, Remediaton Sites:344037, Remediaton Sites:344072, Remediaton Sites:344003, Remediaton Sites:344021, Remediaton Sites:344050, Remediaton Sites:344034, Remediaton Sites:344075, Remediaton Sites:344040, Remediaton Sites:344046, Remediaton Sites:C344063, Remediaton Sites:C344067, Remediaton Sites:546031
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]	344082, 344011, 344042, C344066, C344073, C344078, V00579, V00343, C344080, C344070, V00317, 344037, 344072, 344003, 344021, 344050, 344034, 344075, 344040, 344046, C344063, C344067, 546031
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]	344017, 344082, 344011, 344042, C344066, C344073, C344078, V00579, V00343, C344080, C344070, V00317, 344037, 344072, 344003, 344039, 344021, 344050, 344001, 344034, 344075, 344040, 344046, C344063, C344067, C344076, 546031
E.2.g [Unique Geologic Features]	Yes

E.2.g [Unique Geologic Features]	Palisades State Park
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]	865-164, 865-168, 865-167, 865-163, 856-12, 865-3.1, 865-2.1, 856-4, 856-3, 856-17, 856-18, 856-14, 856-13, 856-13.1, 865-5, 865-4, 865-12, 865-9, 865-8, 864-9, 864-2, 856-2, 864-12, 856-11, 864-10, 856-16, 856-15, 856-8, 856-9, 856-10, 865-161, 865-27, 865-162, 865-18, 865-19, 865-26, 865-20, 865-6, 865-25, 865-44, 865-11, 865-36, 865-10, 865-13, 865-15, 865-14, 865-17, 865-38, 865-37, 865-160, 865-28, 865-32, 865-43, 865-42, 856-6, 856-20, 856-19.1, 856-22, 856-21, 865-48, 865-49, 865-46, 865-61, 865-39, 865-40, 865-41, 865-51, 865-50, 865-52, 865-53, 865-45, 865-47, 865-60, 856-7, 856-23, 864-52
E.2.h.iv [Surface Water Features - Stream Classification]	C(T), A, B, D, SC / C, SB, B(T), A(T)
E.2.h.iv [Surface Water Features - Lake/Pond Name]	865-28, 856-5
E.2.h.iv [Surface Water Features - Lake/Pond Classification]	B, B(T)
E.2.h.iv [Surface Water Features - Wetlands Name]	Tidal Wetlands, Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):52.0, NYS Wetland (in acres):36.2, NYS Wetland (in acres):17.8, NYS Wetland (in acres):42.4, NYS Wetland (in acres):251.4, NYS Wetland (in acres):114.2, NYS Wetland (in acres):36.3
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	NA-9, NA-8, NA-14, NA-12, NA-5, NA-4, NA-10
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Hudson River (Class SB), portion – Priority Organics – Fish Consumption, Name - Pollutants - Uses:Pascack Brook and tribs, within NYS – Unknown Toxicity – Recreation;Aquatic Life, Name - Pollutants - Uses:Sparkill Creek, Lower – Pathogens;D.O./Oxygen Demand – Recreation;Aquatic Life, Name - Pollutants - Uses:Nauraushaun Brook, Lower, and tribs – Unknown Toxicity – Recreation;Aquatic Life, Name - Pollutants - Uses:Hackensack River, and minor tribs – Unknown Toxicity – Recreation;Aquatic Life
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Cliff Community, Brackish Subtidal Aquatic Bed, Red Maple-Sweetgum Swamp, Brackish Tidal Marsh, Brackish Intertidal Mudflats
E.2.n.i [Natural Communities - Acres]	14.12, 565.0, 55.64, 249.0, 28.0
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Eastern Grasswort, Listed Plant – contact NY Natural Heritage, Allegheny Woodrat, Bald Eagle, Glaucous Sedge, Mud Sunfish, Glandular Dodder, Least Bittern, New England Bulrush, Virginia Three-seeded Mercury, Pied-billed Grebe, Marsh Straw Sedge, Atlantic Sturgeon, Shortnose Sturgeon
E.2.p. [Rare Plants or Animals]	Yes

E.2.p. [Rare Plants or Animals - Name]	Ironcolor Shiner
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	Yes
E.3.c.ii [National Natural Landmark - Name and Size in Acres]	Name of Landmark:Palisades of the Hudson, Acres:2027.97200052, Acres:683.60792779
E.3.d [Critical Environmental Area]	Yes
E.3.d [Critical Environmental Area - Name]	Palisades Slope, Sparkill Creek, Piermont Pier, Upper Grandview & Environs, Run-Off-Area, Hudson River Area, Mountainous Area
E.3.d.ii [Critical Environmental Area - Reason]	Protect open space & aesthetic beauty, Exceptional or unique character, Proximity to hillside, ruun-off, erosion, drainage issues, impact of pollution, noise, & traffic, Aesthetic, historic, ecological geological & hydrological sensitivity, Steep slope, natural, aesthetic, archeological, & recreational significance
E.3.d.iii [Critical Environmental Area – Date and Agency]	Agency:Piermont, Village of, Agency:Orangetown, Town of, Agency:South Nyack, Village of (Orangetown, Town of), Date:4-24-85, Date:10-16-88, Date:2-4-98
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]	Eligible property:Boces School, Rockland Middle School, Eligible property:Residence, Eligible property:JOHANNES BLAUVELT HOUSE, Eligible property:Jacob Blauvelt House, Eligible property:Blauvelt Free Library, Eligible property:Tappan Zee Bridge, Eligible property:Aurell / Barclay House, Eligible property:BLDG 25/DIRECTOR'S RESIDENCE (1927), Eligible property:BLDG 20/TRANSITIONAL SERVICES (1927), Eligible property:ROCKLAND PSYCHIATRIC CENTER, Eligible property:Parks and Recreation Administrative Office, Eligible property:BLDG 2/CONNECTING (1927), Eligible property:BLDG 15/VACANT (1927), Eligible property:BLDG 73/STAFF HOUSE (1908), Eligible property:BLDG 77/STAFF HOUSING (1925), Eligible property:BLDG 59/KITCHEN (1933), Eligible property:BLDG 5/MEDICAL GERIATRIC (1927), Eligible property:BLDG 13/STAFF HOUSING (1927)-NON-CONTRIBUTING, Eligible property:BLDG 28/ALCOHOL UNIT (1934), Eligible property:BLDG 21/STAFF HOUSING 21 (1927), Eligible property:BLDG 54/SOCR (1933), Eligible property:BLDG 1/ADMINISTRATION (1927), Eligible property:BLDG 58/PATIENT BUILDING (1933), Eligible property:BLDG 33/OFFICE BUILDING (1930), Eligible property:BLDG 95/DAYCARE CENTER (1933), Eligible property:BLDG 17/PATIENT BUILDING (1927), Eligible property:BLDG 98/STORAGE (1933), Eligible property:BLDG 18/EXTENDED CARE (1927), Eligible property:BLDG 11/INPATIENT BUILDING (1927), Eligible property:BLDG 57/PATIENT BUILDING (1933), Eligible property:BLDG 4/KITCHEN (1927), Eligible property:BLDG 45/STOREHOUSE (1928), Eligible property:BLDG 50/POWERHOUSE (1928), Eligible property:BLDG 14/OFFICES (1927), Eligible property:BLDG 96/DAYCARE CENTER (1933), Eligible property:BLDG 35/REHABILITATION UNIT (1930), Eligible property:BLDG 39/SHELTERED WORKSHOPS (1933), Eligible property:BLDG 100/STORAGE (1933), Eligible property:BLDG 42/COMMUNITY RESIDENCE (1930), Eligible property:BLDG 62/ORANGETOWN CLINIC (1936), Eligible property:BLDG 9/CLINIC/OFFICES (1927), Eligible property:BLDG 38/KITCHEN (1930), Eligible property:BLDG 40/AUDITORIUM/COMMUNITY STORE (1933), Eligible property:BLDG 6/ADMISSIONS (1927), Eligible property:BLDG 29/OFFICE (1930), Eligible property:BLDG 34/PSYCHOGERIATRIC (1930), Eligible property:BLDG 55/STAFF HOUSING (1933), Eligible property:BLDG 23/EMPLOYEE HOUSING (1927), Eligible property:BLDG 16/CLUE PROGRAM (1927), Eligible property:BLDG 24/STAFF HOUSING (1927)-DEMOLISHED?, Eligible property:BLDG 101/EDUCATION & TRAINING (1933), Eligible property:BLDG 47/LAUNDRY (1928), Eligible property:BLDG 49/OLD STOREHOUSE (1928), Eligible property:BLDG 44/GARAGE & FIREHOUSE (1928), Eligible property:BLDG 99/STORAGE (1933), Eligible property:BLDG 43/OFFICE BUILDING (1928),

Eligible property:BLDG 10/MEDICAL SERVICES (1927), Eligible property:BLDG 48/GROUNDS DEPARTMENT (1928), Eligible property:BLDG 56/SHOP (1933), Eligible property:BLDG 7/MEDICAL GERIATRIC (1927), Eligible property:BLDG 22/CRISIS RESIDENCES (1927), Eligible property:BLDG 82/BARN (1938), Eligible property:BLDG 90/GATEHOUSE NORTH (1940), Eligible property:BLDG 78/STAFF HOUSING (N.D.), Eligible property:BLDG 8/ADMISSIONS (1927), Eligible property:BLDG 26/TRANSITIONAL SERVICES (1928), Eligible property:BLDG 32/GENERAL GERIATRIC (1930), Eligible property:BLDG 37/RESEARCH CENTER (1930)-DEMOLISHED?, Eligible property:BLDG 97/ALCOHOLISM (1933), Eligible property:BLDG 63/ORANGETOWN CLINIC (1936), Eligible property:BLDG 3/CONNECTING (1927), Eligible property:BLDG 41/VACANT (1933), Eligible property:BLDG 46/TOILET FACILITIES (1967) - DEMOLISHED?, Eligible property:BLDG 69/GARAGE (1936), Eligible property:BLDG 60/PATIENT BUILDING (CLOSED) (1933), Eligible property:BLDG 113/TRACKMAN SHOP (1926), Eligible property:BLDG 111/GOLF CLUB HOUSE (1940), Eligible property:BLDG 114/SWIMMING POOL SERVICE (1961), Eligible property:BLDG 118/TOOL SHED (1940), Eligible property:BLDG 119/BANDSTAND SHELTER (1950), Eligible property:BLDG 137/STAFF HOUSING (1965), Eligible property:BLDG 36/DEAF UNIT (1930), Eligible property:BLDG 31/OFFICE BUILDING (1934), Eligible property:BLDG 67/PROPAGATING HOUSE (1927), Eligible property:BLDG 109/STAFF HOUSING (1950), Eligible property:BLDG 68/SEWAGE/PUMP HOUSE (1928), Eligible property:BLDG 115/BUS STATION (1958), Eligible property:BLDG 116/CATHOLIC CHAPEL (1958), Eligible property:BLDG 141/STAFF HOUSING (1965), Eligible property:BLDG 19/PATIENT BUILDING (1927), Eligible property:BLDG 134/STAFF HOUSING (1965), Eligible property:BLDG 66/WASTE WATER PUMPING STATION, Eligible property:BLDG 53/TOOL SHED (1968), Eligible property:BLDG 79/STAFF HOUSING (N.D.), Eligible property:BLDG 108/STAFF HOUSING (1950), Eligible property:BLDG 110/STAFF HOUSING (1950), Eligible property:BLDG 74/STORAGE (N.D.), Eligible property:BLDG 84/VEGETABLE STORAGE BLDG (1940), Eligible property:BLDG 88/BARN (1958), Eligible property:BLDG 93/STORAGE SHED (1932), Eligible property:BLDG 107/GARAGES (1932), Eligible property:BLDG 120/GAS METER BLDG (N.D.), Eligible property:BLDG 133/STAFF HOUSING (1965), Eligible property:BLDG 121/RAKE HOUSE, Eligible property:BLDG 51/STONE HOUSE (1928), Eligible property:BLDG 91/GATEHOUSE SOUTH (1940), Eligible property:BLDG 92/BLACKSMITH SHOP (1932), Eligible property:BLDG 71/GARAGE (1936), Eligible property:BLDG 72/GARAGE (1959), Eligible property:BLDG 87/BARN (1900), Eligible property:BLDG 102/TOILET/STORAGE (1936), Eligible property:BLDG 106/GARAGE (1938), Eligible property:BLDG 123/BUTLER/STEEL STORAGE (1965), Eligible property:BLDG 112/OLD POWERHOUSE (1927), Eligible property:BLDG 27/2-CAR GARAGE E. OF BLDG 25 (1927), Eligible property:BLDG 12/EMPLOYEE HOMES (1931), Eligible property:BLDG 76/EQUIPMENT SHED (1961), Eligible property:BLDG 80/SILO (N.D.), Eligible property:BLDG 104/GARAGES (1932), Eligible property:BLDG 117/CHAPEL/JEWISH SYNAGOGUE (1969), Eligible property:BLDG 131/TRANSFORMER (1965), Eligible property:BLDG 135/STAFF HOUSING (1965), Eligible property:BLDG 136/STAFF HOUSING (1965), Eligible property:BLDG 140/STAFF HOUSING (1965), Eligible property:BLDG 132/STAFF HOUSING (1965), Eligible property:BLDG 138/STAFF HOUSING (1965), Eligible property:BLDG 139/STAFF HOUSING (1965), Eligible property:BLDG 143/STORAGE SHEDS (1935), Eligible property:BLDG 125/COOLING TOWER (N.D.), Eligible property:BLDG 142/TRANSFORMER (1965), Eligible property:BLDG 122/GARAGE/KLINE RESEARCH P.C. (N.D.), Eligible property:FORMER WAYSIDE CHAPEL, Eligible property:NYACK PRESBYTERIAN CHURCH, Eligible property:modern house, Eligible property:Commodore William Voorhis House, Eligible property:3-bay 1.5 story dwelling, Eligible property:ALHAMBRA-ON-HUDSON, Eligible property:2-story, 3-bay dwelling with stucco, Eligible property:Rustic residence with conical tower, Eligible property:217 River Road, Eligible property:SCHOFIELD HOUSE, Eligible

	property:Mediterranean villa, Eligible property:Stick Style dwelling w/cross gable and dormers, Eligible property:Dutch Colonial Dwelling, Eligible property:RUDDER - WILCOX, Eligible property:Frame 2-story, 3-bay dwelling with wing, Eligible property:Frame dwelling with rustic 1st story and porch, Eligible property:Second Empire villa, Eligible property:Gothic Revival dwelling, Eligible property:151 River Road, Eligible property:2 story, 3-bay with cross gable, Eligible property:ISAAC PERRY/BLAUVELT HOUSE (Seth House), Eligible property:Bogert-Haring House, Eligible property:Route 303 bridge over Palisades Interstate Parkway (BIN 1045360), Eligible property:118 River Rd, Grandview-on-Hudson, Eligible property:Bennett-Deyrup House, Eligible property:Oak Hill Cemetery, Eligible property:Stevenson House (Picturesque Dwelling), Eligible property:DePew House (Frame Italianate Dwelling), Eligible property:Work Control Building, Andre, Major John, Monument, De Wint House, Tappan Historic District, Palisades Interstate Park, Closter Road-Oak Tree Road Historic District, Concklin, Abner, House, Haring--Eberle House, Neiderhurst, Seven Oaks Estate, Washington Spring Road--Woods Road Historic District, Big House, Little House, Cliffside, US Post Office--Pearl River, Salyer, Edward, Michael, Stone House, Perry, Jacob P., Palisades Interstate Parkway, Blauvelt, Johannes Isaac, Christ Church, Haddock's Hall, Hopson--Swan Estate, Sparkill Creek Drawbridge, Rockland Road Bridge, |"Stonehurst|" (Dederer Stone House), Ferdon, William, Rockland Road Bridge Historic District, House at 352 Piermont Avenue, First Reformed Church of Piermont, Piermont Railroad Station, Onderdonk House, St. Paul's United Methodist Church, US Post Office--Nyack, Ross-Hand Mansion, Tappan Zee Playhouse, Wayside Chapel (Former), Hopper, Birthplace and Boyhood Home, McCullers, Carson, Van Houten's Landing Historic District, Green, John
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Agency Use Only [If applicable]

Project : Orangetown 2022 Comprehensive Plan

Date :

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes"** to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No"** to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)

☑ NO ☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: ____ _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	□	□
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	□	□
c. Other impacts: _____ _____		□	□

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☑ NO ☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	□	□
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	□	□
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	□	□
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	□	□
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	□	□
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	□	□
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	□	□
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	□	□
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	□	□
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	□	□
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	□	□

l. Other impacts: _____ _____		□	□

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	□	□
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	□	□
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	□	□
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	□	□
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	□	□
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	□	□
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	□	□
h. Other impacts: _____ _____		□	□

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	□	□
b. The proposed action may result in development within a 100 year floodplain.	E2j	□	□
c. The proposed action may result in development within a 500 year floodplain.	E2k	□	□
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	□	□
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	□	□
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	□	□

g. Other impacts: _____ _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. ☑ NO ☐ YES
(See Part 1. D.2.f., D.2.h, D.2.g)
If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑ NO ☐ YES
If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	□	□
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	□	□
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	□	□
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	□	□
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	□	□
j. Other impacts: _____ _____		□	□

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	**No, or small impact may occur**	**Moderate to large impact may occur**
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	□	□
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	□	□
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	□	□
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	□	□
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	□	□
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	□	□
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	□	□
h. Other impacts: _____		□	□

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	 ☐ ☐	 ☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	 ☐ ☐	 ☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____ _____		□	□
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	□	□
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	□	□
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	□	□

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	□	□
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	□	□
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	□	□
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	□	□
e. Other impacts: _____ _____		□	□

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	□	□
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	□	□
c. Other impacts: _____ _____		□	□

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. ☑ NO ☐ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____ _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy. ☑ NO ☐ YES
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting. ☑ NO ☐ YES
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. ☑ NO ☐ YES

(See Part 1. C.1, C.2. and C.3.)

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, Elb	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. ☑ NO ☐ YES

(See Part 1. C.2, C.3, D.2, E.3)

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Please see attached EAF Part 3.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Town of Orangetown Town Board as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Town of Orangtown 2022 Comprehensive Plan

Name of Lead Agency: Town of Orangetown Town Board

Name of Responsible Officer in Lead Agency: Teresa M. Kenny

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency: Date:

Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person: Allison Kardon

Address: Orangetown Town Hall, 26 W. Orangeburg Rd., Orangeburg, NY 10962

Telephone Number: (845) 359-5100 Ext. 2293

E-mail: akardon@orangetown.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

A. INTRODUCTION

The Town of Orangetown is updating its Comprehensive Plan for the first time since 2003 to establish a guiding framework for future sustainable development, economic growth, and natural resource preservation in the Town (the "Proposed Action" or "2022 Comprehensive Plan"). A Comprehensive Plan is a long-term planning document that establishes a community's goals and aspirations for the future, while providing a roadmap for how to achieve them. Upon adoption by the Town Board of the Town of Orangetown (the "Town Board"), the 2022 Comprehensive Plan would replace its predecessor, the Town of Orangetown 2003 Comprehensive Plan.

The Town has undertaken this update in response to a number of factors affecting its quality-of-life, character, and changing local economy and community needs. The 2022 Comprehensive Plan updates the policies and objectives of its predecessor to consider the following factors:

- protection of the community and natural resources;
- changes in the local economy following the COVID pandemic;
- reinforcement of environmentally and economically sustainable development practices;
- the growing need for climate resiliency; and
- shifting demographics and needs.

The recommendations of the 2022 Comprehensive Plan are based on community feedback and are intended to balance a healthy economy with quality residential and commercial character, while planning for climate resiliency, protecting the integrity of natural resources, and strengthening local infrastructure.

Adoption of a comprehensive plan is classified as a Type I action under the State Environmental Quality Review Act (6 NYCRR Part 617). This Expanded Environmental Assessment Form (EAF) has been prepared to determine if the policies contained in the 2022 Comprehensive Plan would have any significant adverse environmental impacts. Because many of the recommendations of the 2022 Comprehensive Plan foresee zoning amendments that will require additional research and analysis, this EAF analyzes only the overarching policies with which those zoning changes would ultimately be consistent. Additional environmental review of recommendations within the 2022 Comprehensive Plan may be necessary as the Town Board proceeds with implementation; at that time, a more specific analysis of those measures would be possible.

B. 2022 COMPREHENSIVE PLAN VISION

To address the changing land use patterns, the Town of Orangetown includes a statement of its community vision in the 2022 Comprehensive Plan. That statement is included below.

"With its natural beauty, convenient location, quality schools, cultural resources, and historic hamlets, Orangetown is a wonderful community to live in. An overarching goal of the Comprehensive Plan is to enhance the quality-of-life features and community resources that draw residents and businesses to the Town."

Goal 1: Maintain the Town's community and neighborhood character while balancing the need for growth and development.

Goal 2: Preserve history, open space, and hamlet center character.

Goal 3: Strengthen the Town's transportation network for vehicles, pedestrians, and alternative modes of mobility.

Goal 4: Promote sustainable development and plan for climate resiliency.

Goal 5: Preserve the Town's natural resources and increase access to parks and open space.

Goal 6: Provide a healthy economic environment for community-based businesses that maintain the Town's tax base and provide jobs and services to the Town's residents.

C. 2022 COMPREHENSIVE PLAN RECOMMENDATIONS AND ENVIRONMENTAL ANALYSIS

INTRODUCTION

The 2022 Comprehensive Plan includes a number of recommendations specific to land use and zoning, community character and historic resources, transportation and mobility, economic development, open space and recreation, and sustainability and climate resiliency. The policy goals, major implementation actions, and environmental analysis of those goals and actions are described herein.

LAND USE & ZONING

GOAL AND POLICY

Maintain the Town's community and neighborhood character while balancing the need for growth and development.

The 2022 Comprehensive Plan establishes the overall land use vision for the Town and sets forth strategies and objectives to achieve that vision. The vision is influenced by the historic growth of the community, existing travel patterns and transportation networks, and current land use regulations that govern the location, scale, and intensity of uses. The future land use vision considers zoning, design, and community character; transportation, mobility and parking; demographic trends and socioeconomic conditions; economic development; and open space and recreation, sustainability, green infrastructure, and climate resiliency.

ENVIRONMENTAL ANALYSIS

The "Current and Future Land Use, Zoning, and Design" chapter provides an overview of the existing land use patterns within the Town. It discusses existing development trends, land use, and zoning regulations. It then sets forth a future land use vision with goals, objectives, and implementation strategies, which evolved from an extensive public engagement process that included surveys, workshops, and online opportunities for involvement in the planning process.

The future land use vision encompasses the following goals of the 2022 Comprehensive Plan: Maintain the Town's community and neighborhood character while balancing the need for growth and development; Preserve history, open space, and hamlet center character; Promote sustainable development and plan for climate resiliency; Preserve the Town's natural resources and increase access to parks and open space; and Provide a healthy economic environment for community-based businesses that maintain the Town's tax base and provide jobs and services to the Town's residents. Incorporating public feedback, specific recommendations include:

- Update the zoning districts, as well as allowable land uses and definitions, to recognize uses not previously addressed and assign appropriate performance standards where applicable.
- Create a Use Table that clearly presents each land use and whether it is allowed in each district.
- Update the Route 303 Overlay District for clarity, enforcement, and to minimize variance requests.
- Update nuisance regulations to improve resident quality of life.
- Update the Tree Preservation Code to protect native trees.
- Review Special Permit and Conditional Use Permit Standards and update as necessary to address current uses and concerns. In particular, clarify and update the standards for warehouses and distribution centers.
- Develop a steep slopes and ridgeline protection ordinance.
- Develop design guidelines for facades, signage, and streetscapes to preserve, protect, and enhance the unique characteristics of each hamlet.

The land use, zoning, and design recommendations of the 2022 Comprehensive Plan provide a legislative vehicle for managing growth in a manner that prioritizes the protection of environmentally sensitive areas, compatible warehouse and industrial development (especially near residential areas), preservation of open space, and contextual infill development where appropriate. These actions envelop policies of several intrinsically linked themes, such as natural resources, housing, transportation, community services, and economic development, and therefore are important underlying elements in ensuring that the Town achieves its long-term development objectives.

To support these priorities and achieve the future land use vision, this chapter includes specific objectives to define where and how it would like new development to occur. It also addresses issues in the existing Zoning Code and land use regulations related to consistency, readability, and ease of enforcement. The proposed implementation measures would not significantly increase the development potential of the Town, but would rather focus on contextual redevelopment that could be accommodated with existing infrastructure.

Therefore, there are no significant adverse environmental impacts associated with these elements of the 2022 Comprehensive Plan.

COMMUNITY CHARACTER & HISTORIC RESOURCES

GOAL AND POLICY

Preserve historic character, buildings, and structures while balancing the need for continued growth and development.

ENVIRONMENTAL ANALYSIS

The vision, goals, and objectives related to historic preservation were developed based on an inventory of the existing historic preservation measures and public feedback. In the community survey, 64 percent of respondents indicated that the preservation of historic buildings and structures was an important or very important factor to consider in terms of future development.

The 2022 Comprehensive Plan goals include maintaining the Town's community and neighborhood character while balancing the need for growth and development, as well as, preserving history, open space, and hamlet center character. In the "Community Character and Historic Resources" chapter, the following strategies are proposed:

- Maintain existing local preservation tools.
- Develop designation criteria for Historic Areas.
- Develop design guidelines and performance standards.
- Publish online an inventory of locally designated historic roads.
- Consider individual landmark protections.
- Survey Orangetown's historic buildings and structures.
- Consider joining the Certified Local Government (CLG) Program.

Implementation of the above strategies would further protect the Town's historic and cultural resources. As such, no significant adverse impacts to historic resources are anticipated.

TRANSPORTATION, MOBILITY, AND PARKING

GOAL AND POLICY

Encourage the addition of active transportation infrastructure where possible, apply Complete Street and traffic calming measures to improve roadway safety for all road users, and ensure that residential and commercial growth considers the addition and routing of truck traffic throughout the Town.

ENVIRONMENTAL ANALYSIS

The transportation component of the provides an overview of the Town of Orangetown's existing transportation network. The information in the "Transportation, Mobility, and Parking" chapter provides the context for the development of goals and recommendations for potential transportation improvements for transportation, mobility, and parking in the Town, developed to address the needs and challenges that the Town presently faces, and will face, in the future.

The goal and objectives related to transportation for Orangetown were developed based on an inventory of the existing transportation systems and public feedback. Residents largely supported active transportation and providing infrastructure for bicyclists and pedestrians where space and

demand are present, but also expressed concerns regarding traffic operations/enforcement and truck traffic in the Town. Based on the existing transportation systems inventory and public feedback, implementation strategies were developed to address resident concerns. These strategies include:

- Add sidewalks and protected on-street bicycle lanes as context-sensitive improvements when funding is available, meeting criteria such as but not limited to, sufficient roadway space and demand in downtown areas and along arterials, and especially where new developments are proposed.
- Expand active transportation infrastructure network by connecting existing trails and converting abandoned rail lines into multiuse paths.
- Connect existing multiuse path network from Orangetown south to New Jersey.
- Apply Orangetown Complete Streets Policy to all roadway projects in addition to planning separate Complete Street projects.
- Introduce traffic calming in residential areas, including channelizing roadways, adding curb extensions, providing bicycle lanes and sidewalks, and adding traffic circles and roundabouts.
- Collaborate with NYSDOT on upgrading existing traffic signals.
- Limit and consolidate driveways along major roadways, including NY State Routes 303, 304, and 340.
- Develop a truck route map to direct trucks to major roadways instead of cutting through downtown areas, and restrict truck traffic on select local roadways except for local delivery.
- Enforce and improve signage for roadway and bridge weight limits.
- Increase parking supply in areas with high parking demand, including South Nyack and Pearl River.
- Collaborate with public transportation providers, including Metro-North Railroad, Rockland Coaches, TOR, and Hudson Link to study, improve, and expand existing public transportation service, including bus stops, routing, frequency, and reliability.
- Study, add, and expand Park & Ride lots near major commuter stations.

The goals and objectives included in the 2022 Comprehensive Plan encourage the addition of active transportation infrastructure where possible, applying Complete Street and traffic calming measures to improve roadway safety for all road users, and ensuring that residential and commercial growth considers the addition and routing of truck traffic throughout the Town.

The overall impact of the transportation, mobility, and parking strategies is to promote a safe and enjoyable experience for users of all modes of transportation and to enhance connectivity and options for active transportation, bicyclists, pedestrians, and public transit riders. These efforts would reduce auto congestion, improve air quality, and protect the safety and increase the health of residents, workers, and visitors in Town. Therefore, no significant adverse environmental impacts are anticipated for these elements of the 2022 Comprehensive Plan.

ECONOMIC DEVELOPMENT & DOWNTOWN REVITALIZATION

GOAL AND POLICY

Improve economic conditions in the Town and revitalize the hamlet downtowns.

ENVIRONMENTAL ANALYSIS

One of the principal goals of the 2022 Comprehensive Plan is to provide a healthy economic environment for community-based businesses that maintain the Town's tax base and provide jobs and services to the Town's residents. The "Economic Development & Downtown Revitalization" chapter describes existing demographic and socioeconomic conditions of the Town. It then outlines goals, objectives, and strategies for the Town to consider as it seeks to enhance its economic base while protecting and enhancing the qualities of downtown areas of the Town, especially within the Town's hamlets.

Based on the existing demographic and economic conditions, as well as public feedback from the public engagement process, implementation strategies were developed to address resident concerns and goals. Those strategies include:

- Explore grants and other funding opportunities for the Town and for small businesses, and educate business owners on how to apply for those opportunities.
- Utilize placemaking strategies such as annual community events, pop-up holiday markets, farmers markets, public art, and live entertainment to draw residents and visitors to the community, patrons to local businesses, and to activate the public realm.
- Encourage small businesses that add to the vitality of hamlet centers by providing cultural, recreational, and entertainment amenities desired by the community.
- Establish a local development corporation (LDC).
- Create an Orangetown Economic Development Plan.
- Attract new businesses of varying types and sizes to broaden business offerings and protect the Town's tax base.
- Encourage infill development wherever possible, to maintain the 'feel' and 'character' of the hamlet downtowns.
- Activate the public realm in hamlet downtowns as a means to stimulate the local economies of the hamlets.
- The Town could consider undertaking an evaluation of short and long-term economic impacts of the Covid-19 Pandemic on businesses in Orangetown, to better inform strategies that could respond to new trends such as work-from-home, and hybrid work schedules.

The strength of the Town's economic base is a vital component in maintaining stable tax revenues and providing local employment and services to residents. The strategies above help foster positive economic development and downtown revitalization while balancing resident interests and concerns, including discouraging strip malls, protecting open space from commercial development, and limiting the development of large businesses, which often comes at the expense of smaller, locally owned businesses. Instead, the strategies support rehabilitation of older properties, attracting new creative businesses (such as startups, technology firms, and art and cultural centers), developing community centers, and hosting more outdoor events.

This 2022 Comprehensive Plan envisions an economic development plan that improves access to employment opportunities, advanced education, workforce development, and job training opportunities, as well as promotes reuse of existing buildings, infill development, and limitations on greenfield development. Therefore, no significant adverse environmental impacts are anticipated associated with these elements of the 2022 Comprehensive Plan.

OPEN SPACE & RECREATION

GOAL AND POLICY

Enhance the quality of natural environments, protect and preserve open spaces, increase access to parks across the Town, and support the ecological function of open spaces in flood mitigation, carbon sequestration, and in providing wildlife habitat and biodiversity.

ENVIRONMENTAL ANALYSIS

The Town of Orangetown is home to an array of parks and open spaces. There are approximately 2,500 acres of public and private open space in Orangetown, constituting 22.7 percent of the land within its boundaries. Orangetown's natural landscape is defined by both land and water features, with Clausland Mountain and a series of open spaces that form a ‘green’ north-south corridor to the east, and a chain of lakes and several creeks, which form a ‘blue’ north-south corridor further inland. The steep terrain of Clausland Mountain limits development on steep slopes, while the low-lying inland lakes and the Hackensack River wetlands limit development in environmentally sensitive areas.

Although there is a continuity of parks and open spaces in the north-south direction and along the Town's 'green' and ‘blue’ corridors, access to and connectivity in the east-west orientation between these corridors, the waterfront, and most residential areas are limited. These open space corridors, rich with amenities, not only serve the local residents, but are also a regional civic amenity. Specific recommendations to address public concerns and to support open space and recreation include:

- Use cluster development and conservation easements to preserve large contiguous areas of open space and protect environmentally sensitive areas.
- Develop a viewshed protection ordinance.
- Recycle underutilized areas and obsolete infrastructure for recreational use.
- Expand community programming and the ecological role of parks in habitat restoration.
- Educate young residents about the environmental importance of parks and promote park stewardship.
- Develop sustainable best practices for park maintenance.
- Consider and adopt urban forestry and landscaping best practices.
- Provide greater continuity between Orangetown’s local parks and open spaces, the regional open space corridor, and waterfront areas.
- Develop an Open Space Plan to continue expanding the Town’s area under Parks and Open Space use.

Orangetown’s well-maintained parks and open spaces not only have great scenic and recreational value, but also, they also serve as important ecological systems that can mitigate flooding hazards, protect watersheds, preserve wildlife habitat and biodiversity, and sequester carbon. The recommendations above provide a roadmap for the Town to further enhance the quality of natural environments, protect and preserve open spaces, increase access to parks across the Town, and support the ecological function of open spaces in flood mitigation, carbon sequestration, and in providing wildlife habitat and biodiversity. As such, no significant adverse impacts to open spaces and natural resources are anticipated.

SUSTAINABILITY & CLIMATE RESILIENCY

GOAL AND POLICY

Promote sustainable development and plan for climate resiliency.

ENVIRONMENTAL ANALYSIS

The Town of Orangetown has a wealth of natural features and systems of great scenic, ecological, and climate resilience value – including densely wooded steep slopes, green corridors, waterbodies, and numerous wetlands. These wetlands provide invaluable ecological services, including flood mitigation, absorption of excess nutrients, and critical habitats for animal and plant species.

One of the most significant environmental concerns in Orangetown is flooding. An estimated 26.1 percent of the Town's land area is under high flood and associated water quality risks. Further, a steep slope analysis of the Town identified numerous residential areas located on slopes that exceed 25 percent, as well as areas declared landslide concerns due to development on steep slopes.

Recent severe storms have led to increased flooding on the steep slopes in areas identified as Critical Environmental Areas (CEAs), which are defined by the NYSDEC as areas that possess "exceptional or unique character" and meet other ecological conditions. Development proposed within a CEA requires a more stringent review process to evaluate potential environmental impacts. Additionally, the Town Code has set restrictions on blasting, land clearing, and tree removal, and it requires a permit for new construction, modification, and additions within CEAs.

The existing conditions highlight Town initiatives, as well as environmental challenges and assets, that can be leveraged to improve Orangetown's resilience into the future. Public feedback emphasized concern for environmental issues. Specific recommendations include:

- Establish a Climate Working Group to seek funding for and to develop a Climate Action Plan.
- Mitigate the harmful impacts of flood events through development regulations and preventative measures, including steep slope ordinances.
- Review and update local regulations to promote resilient construction practices, manage stormwater, and reduce flooding.
- Map stormwater conveyance including drainage areas, outfalls, and discharge points for all of Orangetown's municipalities.
- Improve water quality by addressing root causes of contamination, protecting wetlands and watersheds, and aiding their ecological role.
- Establish a green infrastructure and structural retrofitting program to reduce phosphorus, nitrogen, and pathogen loading.
- Expand on existing stormwater public awareness programs to include a wider range of stakeholders and educational information.
- Reduce carbon emissions and promote healthier air quality.
- Limit the use of fossil fuels as a source of energy supply and incentivize the use of green building technologies for new development projects and retrofits.
- Rigorously enforce Town Code provisions to limit light pollution.

These recommendations address environmental challenges that include stormwater, water quality, pollution, flooding, and erosion hazards on steep slopes. Flooding, especially flash flooding, already is and will become an even more pressing issue due to climate change. In addition to retrofitting existing infrastructure, the 2022 Comprehensive Plan recommends reducing impervious surfaces. Altogether, protecting and reconstituting the wetlands system, designating additional environmentally sensitive zones such as CEAs, establishing urban forestry and landscaping regulations, stabilizing and regulating development of steep slopes, and increasing permeable ground surface will aid in addressing the Town's flooding, slope erosion, and water quality concerns across the board.

Therefore, no significant adverse environmental impacts are anticipated associated with these elements of the 2022 Comprehensive Plan.

D. SUMMARY AND CONCLUSIONS

Adoption of the 2022 Comprehensive Plan would not directly result in any significant adverse environmental impacts. The recommendations of the 2022 Comprehensive Plan are intended to support economic, environmental, and equitable sustainability, as well as enhance community character, provide additional protection of natural resources that include open spaces, wetlands, steep slopes, and water quality, and to maintain development patterns that are consistent with the Town's character and natural resource protection efforts.

While the 2022 Comprehensive Plan includes a number of recommendations that could, when implemented individually, have potential environmental impacts, the overall impact of the implementation measures would be a positive impact on community character, economic development, and environmental protection. Where additional analyses are deemed necessary to evaluate individual actions consistent with the Comprehensive Plan, they will be completed in accordance with SEQRA.

SEQR

State Environmental Quality Review
Determination of Significance

NEGATIVE DECLARATION

Date: September 26, 2023

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Orangetown Town Board as Lead Agency has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action: Town of Orangetown Comprehensive Plan

SEQR Status: Type 1 ☒
Unlisted ☐

Conditioned Negative Declaration: ☐ Yes
☒ No

Description of Action:

The Town of Orangetown is updating its Comprehensive Plan for the first time since 2003 to establish a guiding framework for future sustainable development, economic growth, and natural resource preservation in the Town (the "Proposed Action" or "2022 Comprehensive Plan"). A Comprehensive Plan is a long-term planning document that establishes a community's goals and aspirations for the future, while providing a roadmap for how to achieve them. Upon adoption by the Town Board of the Town of Orangetown (the "Town Board"), the 2022 Comprehensive Plan would replace its predecessor, the Town of Orangetown 2003 Comprehensive Plan.

The Town has undertaken this update in response to a number of factors affecting its quality-of-life, character, and changing local economy and community needs. The 2022 Comprehensive Plan updates the policies and objectives of its predecessor to consider the following factors:

- protection of the community and natural resources;
- changes in the local economy following the COVID pandemic;
- reinforcement of environmentally and economically sustainable development practices;
- the growing need for climate resiliency; and
- shifting demographics and needs.

The recommendations of the 2022 Comprehensive Plan are based on community feedback and are intended to balance a healthy economy with quality residential and commercial character, while planning for climate resiliency, protecting the integrity of natural resources, and strengthening local infrastructure.

Location: Town of Orangetown, Rockland County, NY

Reasons Supporting This Determination:

An Expanded Environmental Assessment Form (EAF) was prepared to determine if the policies contained in the Comprehensive Plan would have any significant adverse environmental impacts. For the reasons set forth in the EAF dated September 6, 2023, the Town Board finds that the adoption of the Comprehensive Plan would not directly result in any significant adverse environmental impacts. The recommendations of the Comprehensive Plan are intended to enhance and protect community character, provide additional protection of natural resources within the Town including wetlands, steep slopes, and water quality, and to maintain the overall development potential within the Town in a way that is consistent with the Town's character and natural resource protection efforts.

While the Comprehensive Plan includes a number of recommendations that could, when implemented individually, have potential environmental impacts, the overall impact of the implementation measures would be a positive impact on community character, economic development, and environmental protection. Where additional analyses are deemed necessary to evaluate individual actions consistent with the Comprehensive Plan, they will be completed in accordance with SEQRA.

In addition to the factors considered above, the Town Board considered the following guidance from the State Environmental Quality Review Act and its implementing regulations and determined that the Proposed Action would:

(i) Not result in "a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;" (§617.7(c)(1)(i))

(ii) Not result in "the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;"(§617.7(c)(1)(iii)

(iii) Not result in "the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;" (§617.7(c)(1)(iii))

(iv) Not result in "the creation of a material conflict with a community's current plans or goals as officially approved or adopted;" (§617.7(c)(1)(iv))

(v) Not result in "the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;" (§617.7(c)(1)(v))

(vi) Not result in "a major change in the use of either the quantity or type of energy;" (§617.7(c)(1)(vi))

(vii) Not result in "the creation of a hazard to human health;" (§617.7(c)(1)(vii))

(viii) Not result in "a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;" (§617.7(c)(1)(viii))

(ix) Not result in "the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;" (§617.7(c)(1)(ix))

(x) Not result in "the creation of a material demand for other actions that would result in one of the above consequences;" (§617.7(c)(1)(x))

(xi) Not result in “changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or (§617.7(c)(1)(xi))

Therefore, the Town Board of the Town of Orangetown, acting as Lead Agency, and having reviewed the EAF and all supplementary information, has determined that the proposed action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not need to be prepared.

For Further Information:

Contact Person: Allison Kardon, Confidential Assistant to Town Supervisor

Address: Orangetown Town Hall
26 W. Orangeburg Rd.
Orangeburg, NY 10962

Telephone Number: (845) 359-5100 Ext. 2293

A Copy of this Notice has been filed with:

- Hon. Teresa Kenny, Supervisor
- Town of Orangetown Town Clerk
- Rockland County Department of Planning, 50 Sanatorium Road, Building T, Pomona, NY 10970
- Commissioner, Department of Environmental Conservation, 625 Broadway, Albany, NY 12233-1011
- Regional Director, Department of Environmental Conservation, Region 3, 21 South Putt Corners Road, New Paltz, NY 12561-1696
- Environmental Notice Bulletin

Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Helen Kenny Burrows
Deputy Commissioner

October 24, 2022

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data:

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: **Date Review Received:** 09/19/2022

Item: ***TOWN OF ORANGETOWN - DRAFT COMPREHENSIVE PLAN (O-2014A)***

Update to the 2003 Orangetown Comprehensive Plan.
Throughout the Town

Reason for Referral:

County and State roads, parks and facilities, County streams, Long Path Hiking Trail, adjacent municipalities

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

Recommend the following modifications

The previous Town of Orangetown Comprehensive Plan was adopted by the Town Board on May 12, 2003 after a two-year planning process. The plan was primarily established to provide guidance for development and open space preservation for the 15 to 20 years that followed. The goals established within the 2003 Comprehensive Plan focused upon providing additional open space and recreational facilities; decent housing for present and future residents; local employment opportunities, tax ratables, and services, as part of commercial, office, and industrial development; transportation infrastructure; and maintaining an adequate level of community services appropriate for Orangetown's demographics.

The proposed 2022 Orangetown Comprehensive Plan builds upon the goals and strategies of the 2003 Comprehensive Plan, as well as other existing land use policies and studies, such as the Route 303 Sustainability Development Study (2002), and the Pearl River TOD Opportunities Analysis (2018). In addition, the Orangetown Comprehensive Plan addresses the shortcomings of the Town's Zoning Ordinance and proposes new strategies that were not as conceivable in the 2003 adoption, such as encouraging the installation of electric vehicle charging stations. Our department commends the Town on the proposed update and finds the goals and proposed actions compatible with the County's interests. We offer the following comments regarding the proposed document:

TOWN OF ORANGETOWN - DRAFT COMPREHENSIVE PLAN (O-2014A)

1 The adoption of a municipality's land use plan, the adoption by any agency of a comprehensive resource management plan or the initial adoption of a municipality's comprehensive zoning regulations are considered Type I Actions under Section 617.4(b)(1) of the New York State Environmental Quality Review Act (SEQRA). As such, they are more likely to require the preparation of an Environmental Impact Statement (EIS). The GML referral did not include any SEQRA documents. The EIS or Environmental Assessment Form must be submitted for our review.

2 The goals and objectives are not clearly and consistently identified within each chapter. For instance, Chapter 3 (Community Character and Historic Resources) vaguely states the intended goal on Page 95, but does not identify objectives; however, it does list implementation strategies starting on Page 96. By contrast, Chapter 2 (Current and Future Land Use, Zoning, and Design) identifies the goal on Page 62, but lists the objectives as bullet points on Page 25, after the introduction. "The Vision, Goals, and Objectives" Section of each chapter must clearly state the general goal or goals of the chapter and list all objectives that relate to the implementation strategies established.

3 On Pages 10 and 11, Table 1-1, "2003 Comprehensive Plan Recommendations and Outcomes," lists several recommendations where it indicates that the outcome was unclear or the recommendation was never implemented. The status for each of these recommendations must be determined. For recommendations not implemented, the reason(s) should be specified on the table. The table must also indicate which of these recommendations are being reconsidered and incorporated into the 2022 Comprehensive Plan.

4 Objective 2, of Goal 1 on Page 17 proposes an update and modernization of the Zoning Code. In its review and up-date to the zoning code, the Town may want to consider alternative zoning models such as form-based codes.

5 On Page 18, Goal 3, Objective 4 is to create pedestrian-friendly, walkable streets in hamlet centers by "limiting traffic during certain times on low-traffic roadways." It is unclear how the plan hopes to achieve limiting traffic. This goal must be clearly addressed in Chapter 4 (Transportation, Mobility, and Parking).

6 In Goal 3, Objective 11 on Page 19, Rockland County Public Transportation should be listed as a local transit provider.

7 Goal 4 on Page 19 is to "Promote sustainable development and plan for climate resiliency." Page 222 in the Sustainability and Climate Resiliency Chapter includes the action of "continuing to enforce the recently adopted NYStretch Code." It is recommended that the use of the NYStretch Energy Code be incorporated as an objective for Goal 4.

8 The Village of South Nyack was dissolved on March 31, 2022, as indicated on Page 26. The last sentence of the last paragraph mentions that land use and zoning regulations related to the Village have become the responsibility of the town. The Comprehensive Plan must clarify if the Town intends on continuing to enforce regulations of the South Nyack Zoning Code or if provisions for South Nyack will be incorporated into the Orangetown Zoning Code.

9 The third paragraph on Page 38 indicates that there is a continued concern for the development of manufacturing, warehouse, and distribution centers along the Route 303 Corridor, despite the adoption of the Route 303 Overlay District. Our department continues to receive proposals to permit the construction of the aforementioned uses within the Overlay District. Several of our concerns that align with the study have been overridden by the local land use boards. The level of success with the adoption of the Overlay District and Town's efforts to enforce its regulations should be further discussed in this section of the plan.

10 Figure 2-3, Existing Zoning Map, on Page 44, as well as Figure 2-5, Proposed Zoning Map, on Page 65 include labels for the Villages of Nyack, South Nyack, Grand View on Hudson, and Piermont. These municipalities are subject to different zoning regulations from the Orangetown Zoning Code and thus their boundaries must be more clearly distinguished from Orangetown's zoning districts on the map. Since South Nyack is under the purview of Orangetown, it is recommended that its zoning districts be identified in Figures 2-3 and 2-5.

TOWN OF ORANGETOWN - DRAFT COMPREHENSIVE PLAN (O-2014A)

11 Table 2-5 on Pages 48 and 49 lists uses indicated as currently "being permitted as of right," not permitted, "special permit uses," or "conditional uses." A description for special permit uses is included on Page 50, following performance standards. A description should be added for conditional uses since they are also included on the Table.

12 The paragraph on the bottom of Page 56 lists "the top land use areas indicated as important to future development," according to a survey. In parenthesis, the paragraph notes "see Appendix A"; however, the same graph in the appendix is also on Page 57. This similarly occurs in the paragraph on the bottom of Page 57, continuing to the top of Page 58, regarding "the top residential land uses encouraged by respondents." Appendix A is once again referenced, but the same graph in the Appendix is on Page 58. These two paragraphs should reference subsequent graphs instead of Appendix A, as they will be easier for a reader to find.

13 The definition for Garden townhome on Page 68 must clarify if a townhome unit exists on its own lot, as it could otherwise be confused with multi-unit residential classifications.

14 We appreciate that the Town is considering revising their code to better address data centers, which have different needs from standard warehouses. The proposed definition for data centers on Page 69 is informative and mirrors our department's concerns regarding their energy and water usage. Data centers are currently only permitted within the RPC-OC (Rockland Psychiatric Center Office Park) zoning district. In spite of this, our department has recently reviewed applications required for permitting a data center within the LIO (Light Industrial-Office District), where data centers are not listed as a permitted land use, making approval difficult. According to Page 71, Table 2-6 of the Comprehensive Plan, data centers may eventually be allowed within the LIO district as a conditional use (as well as other districts). We find such changes to the zoning code to be necessary, as the demand for data centers has increased in recent years. The special considerations related to data centers must be adequately discussed in the Zoning Code.

15 The last paragraph on Page 73, continuing to the top of Page 74, discusses confusion about warehouses and distribution centers permitted within the Route 303 Overlay District. This paragraph references Section 13.10B. (3) of the zoning code, which prohibits "retail warehouse uses, including mini-storage uses and distribution centers," in excess of 65,000 square feet in the Overlay District. We agree that statement is ambiguous for an otherwise crucial development standard for a significant corridor. We recommend that the uses that the town intends to distinguish under this standard be clarified in this section of the Comprehensive Plan.

16 We recommend that the Town also consider limiting the size of warehouses and similar facilities outside of the Route 303 Overlay District. While the Town has FAR requirements for warehouse facilities, which is effective for reducing building size on smaller parcels, FAR requirements alone are not enough to prevent excessively sized warehouses on larger parcels, which can potentially consume large swaths of open space. Possible provisions could include maximum building coverage, maximum development coverage, and/or maximum square footprint for new warehouses.

17 Page 77 includes three implementation strategies, including "Review Special Permit and Conditional Use Permit Standards and update as necessary to address current uses and concerns. In particular, clarify and update the standards for warehouse and distribution centers," "Develop a steep slopes and ridgeline protection ordinance," and "develop design guidelines for facades, signage, and streetscapes to preserve, protect, and enhance the unique characteristics of each hamlet." Unlike the other implementation strategies, these three strategies do not include bullet points or descriptions. Additional details must be provided for these strategies, such as why they are necessary, current deficiencies, examples of actions, regulations, policies, etc.

18 Page 116 includes a subsection titled "Parking," referring to downtown and other busy areas where parking is limited, and how to address parking demands. While the parking shortage is apparent in many of Orangetown's commercial centers, this section of the Plan should also include information about areas where the supply of parking spaces is highly abundant compared to the actual demand. Though the excess of parking and pavement is primarily addressed in Chapter 7 (Sustainability and Climate Resiliency) of the Comprehensive Plan, it is also a transportation related issue and should be discussed further in this section of Chapter 4. Parking standards should be evaluated in light of recent trends such as remote working, online shopping, etc. Reduced parking standards will lead to reduced impervious surface area, as referenced on Page 205.

TOWN OF ORANGETOWN - DRAFT COMPREHENSIVE PLAN (O-2014A)

19 Page 118 lists the implementation strategy of "expanding active transportation infrastructure network by connecting existing trails and converting abandoned rail lines into multiuse paths," but does not include further details. This section should list existing trails and abandoned rail lines that would be ideal for implementation, aside from those trails listed under the strategy of "connecting existing multiuse path network from Orangetown south to New Jersey. Alternatively, the two implementation strategies can be combined and expanded upon as appropriate.

20 On Page 122, Rockland County Department of Public Transportation should be added to the list of collaborators in the effort to study, improve, and expand existing public transportation service, including bus stops, routing, frequency, and reliability.

21 Census tracts in Orangetown that are Disadvantaged Communities, as part of the State's Climate Act Initiative, should be identified in either the demographics subsection on Page 128 and/or in Chapter 7. These Disadvantaged Communities can be found on the New York State's website: https://climate.ny.gov/Our-Climate-Act/Disadvantaged-Communities-Criteria/Disadvantaged-Communities-Map

22 On Page 176, it is stated that "the Office of Parks and Recreation, in collaboration with the Orangetown Environmental Committee should consider instituting a local park and environmental stewardship program for youths and students." We suggest adding the Rockland County Division of Environmental Resources and Youth Bureau to the partners for this potential initiative and any other efforts to improve access to open space and parks.

23 Throughout Chapter 6 (Open Space and Recreation) there are several different references to plantings as "climate-resilient species," "suitable species," and "sustainable species." With several different descriptors, it is unclear what the Plan is trying to achieve. This department recommends using trees and plants that are native to New York. Native plants are better adapted to the local climate and soils and are therefore easier to care for. This results in the need for less fertilizer, pesticides, and use of water. This helps to prevent erosion and increased runoff into local waterbodies. Native plants also help to preserve and promote biodiversity. A pdf titled "Native Plants for Gardening and Landscaping Fact Sheets" that lists native species and the environments in which they can grow can be found on the New York State Department of Environmental Conservation's website: https://www.dec.ny.gov/public/44290.html.

24 In addition to viewshed protection discussed in Chapter 6, Open Space and Recreation, we urge the Town to consider a watershed protection approach not only within the Town but through intermunicipal cooperation with adjoining municipalities and local watershed groups to protect water resources and water quality throughout the region.

25 Chapter 7 is titled "Sustainability and Climate Resiliency. We suggest that this chapter either be given a different title or separated into two different chapters, one on natural resources and one on sustainability and climate. Addressing climate and emissions reduction through land use planning is in and of itself deserving of being addressed in a separate chapter. Separating natural resource protection and climate action goals will make the Plan overall more reader friendly. While many of the sustainability elements are addressed at one level or another throughout the Plan, we suggest the Town consolidate and tighten up its goals and objectives regarding sustainability and climate resilience.

A climate action/resiliency related chapter can incorporate sustainability elements already in the draft such as the Town's CCA program, encouragement of electric vehicle charging stations, and renewable energy goals. The Plan discusses the use of 'green building technologies' for both new development and retrofits. It is suggested that the Plan define what is meant by green building technology and elaborate on the use of such technologies in development and redevelopment. This chapter should also address the promotion of carbon neutral development in the town and how local laws may be used to further development that does not result in additional greenhouse gas emissions. Energy efficiency in development and redevelopment can be addressed. Other elements to consider include promoting the development of local food systems and minimizing solid waste.

TOWN OF ORANGETOWN - DRAFT COMPREHENSIVE PLAN (O-2014A)

26 Chapter 7 in large part addresses the natural resources of the town. While there is clear connection between protection of natural resources and climate resiliency, we would suggest that the Plan would be better laid out and be more readable if natural resource protection and climate related actions be addressed separately in the Plan. A natural resources protection chapter can address the issues of protection of steep slopes, critical environmental areas, waterbodies and wetlands, floodplains and water quality protection and stormwater management.

27 We recommend that the Town consider developing a Townwide Natural Resources Inventory (NRI). The NYSDEC Hudson River Estuary Program offers tools and resources to assist municipalities in developing an NRI.

28 In developing sustainability goals in the Comprehensive Plan, we suggest the Town review the Pledge Elements (PE) of New York's States Climate Smart Communities Program, particularly PE6 Action: Comprehensive Plan with Sustainability Elements. Making sure all these elements, such as smart growth principles, are addressed will help the Town is pursuing higher certification in both the Climate Smart Community Program and the Clean Energy Community Program.

29 As is referenced in the plan, transportation is a significant contributor to greenhouse gas emissions. Reduction of transportation related GHGs should be addressed in a chapter on Sustainability and Climate including goals to reduce vehicle miles travelled.

30 There are several references to the 2018 County Multijurisdictional Hazard Mitigation Plan, including Pages 202 and 203, particularly in reference to flooding in the community. Please note that Rockland County Fire and Emergency Services is preparing to update the 2018 Plan. The County will want to add current hazard mitigation related concerns and projects in the Town of Orangetown to this update. We encourage the Town's participation in this effort.

31 On Page 215-216, it is recommended that "the Town in collaboration with Rockland County, consider mapping stormwater conveyance, drainage areas, outfalls, and discharge points for all its municipalities. Developing a GIS-based stormwater network geodatabase would allow for improved stormwater analysis and data-driven management strategies. This geodatabase could be updated when new infrastructure is built and when inaccuracies in existing data require correction." We suggest the Plan clarify what collaboration is being sought with the County on such a mapping effort and if it is the intent of the Plan that the County conduct such mapping for all municipalities. It is our understanding that such a mapping effort is currently being coordinated by the Stormwater Consortium of Rockland County. We encourage Orangetown to continue to work with the Consortium and Cornell Cooperative Extension, Rockland County on this effort.

32 On Page 219, we concur with the last strategy listed, which considers setting limits to impervious surfaces on any lot. The town should consider doing an impervious surface analysis to further verify the need for reduced impervious surface area. In addition, we highly recommend that Orangetown adopt maximum development coverage regulations within its zoning code. Many other municipalities within Rockland County, such as Ramapo and Clarkstown, have included this requirement in their bulk regulations. Orangetown could particularly benefit from this requirement, given the magnitude of development coverage of some of the recent development proposals submitted to the town and the flooding issues noted in Chapter 7.

33 In exploring local educational programs on MS4s through partnerships with the Stormwater Consortium of Rockland County, Orangetown Department of Environmental Management and Engineering, Orangetown Environmental Committee, Office of Parks and Recreation, local schools and school districts, and community organizations as outlined on Page 220, we would also suggest collaboration with the Rockland County Division of Environmental Resources.

34 Green building strategies outlined on Page 222 reference performance code certifications such as Energy Star and/or LEED for new construction. It is suggested that The Town also consider encouraging the use of the Living Building Challenge https://living-future.org/lbc/

TOWN OF ORANGETOWN - DRAFT COMPREHENSIVE PLAN (O-2014A)

35 Chapter 8 includes a table of strategies that were identified throughout the other chapters of the Comprehensive Plan. The Town should designate different levels of prioritization for the Action Items listed on the table and consider developing a measurable timeframe (number of years or a deadline) for completing high priority actions.

36 The consideration of consolidating the R-22 and R-15 zoning districts into a single medium density residential district should be added as an action item to the table on Page 230 for the strategy of "updating the zoning code and streamlining provisions." This was listed as a potential action item in the Land Use and Zoning chapter of the Plan, on Page 66, but not added to the table.

37 While the Town opted out of allowing the establishment of retail cannabis dispensaries and on-site cannabis consumption sites it is suggested that the potential future land uses allowed under the Marihuana Regulation and Taxation Act be addressed.

38 It is suggested that Plan identify contaminated sites in the community, such as those in the states Brownfield Cleanup Program, and identify priority sites for redevelopment in place of development of "green" fields.

TOWN OF ORANGETOWN - DRAFT COMPREHENSIVE PLAN (O-2014A)

39 Listed below are typographical, punctuation, format, and update errors that we observed while reviewing the document.

Pages 10 and 11, Tables 1-1 and 1-2 were inserted in the middle of the description for Goal 5 (Community Facilities) of the section titled "Town of Orangetown 2003 Comprehensive Plan." The sentence abruptly continues on Page 12. The tables must be moved to after the sentence stating "Those recommendations, and their respective outcomes, are summarized in Table 1-1 and 1-2."

Page 12, paragraph titled "An update to the Town of Orangetown's 2003 Comprehensive Plan," refers to an RFP for the first time. "Request for proposal" must be spelled out here since this is the first time that it is used in the text.

Page 17, Goal 1, Objective 7 lists "flooding" as a natural resource. This must be corrected.

Page 31, the third sentence in the paragraph on Blauvelt includes a superscript annotation of "2," but the footnote is labeled as "4." This must be corrected.

Page 35, the subsection titled "Public Parks, Open Space, and Vacant Land" is immediately after the paragraph about Upper Grandview. This subsection must be located immediately after the subsection titled "Commercial and Industrial Development Patterns," which ends on Page 31, so that it is continuous with the information about other existing land uses rather than Hamlets.

Page 41, first paragraph, first sentence should say "three-part" instead of "three-party."

Page 44, Figure 2-3 legend indicates that the purple area shows the "Route 303 Zone Overlay Sparkill." "Sparkill" should be moved down to the following line so that the orange area denotes the "Sparkill Hamlet Center Overlay."

On Page 46, in the description for Non-Residential Zoning Districts, the term "square feet" is frequently interchanged with the abbreviation of "sf." "Square feet" must be used instead of "sf" for consistency with the rest of the body text.

Footnote 17, on the bottom of Page 66, should include a space in between "15,000" and "sf."

The orange font used throughout Chapter 3 is faint and does not contrast well with the white pages, which may cause some difficulty for some people to read. Similarly, there is little contrast between the white text and orange background on Page 95. It is recommended that a darker color be used.

Page 85, the header that reads "Upper Grand View" should have "Grandview" as one word.

The Section beginning on Page 114 of Chapter 4 is titled "Goals and Objectives." However, all other chapters of the Comprehensive Plan include a section that is instead titled "Vision, Goals, and Objectives." The title on Page 114 must be revised for consistency with the rest of the document.

Page 126, Figure 5-2, the percentages on the 2010 graph add up to 118.1%. This must be corrected.

Chapter 5, Pages 126, 127, 128, 133, 134, and 147, it is difficult to discern between the colors on the figures. It is recommended that more contrasting colors are used.

Table 6-1 on Pages 159 through 165, under the Use column it is unclear that "Nature" is one use and "Nature observation" is a separate use. The Use column should either include commas between separate uses or words denoting one use on the same line. Page 160 lists "Nature" as a use twice for Tallman Mountain State Park.

On Page 201, Figure 7-4 (FEMA Flood Zones), similar shades of blue are used on the map to depict Flood Zones A and VE, as well as D and X500. The map must utilize more contrasting colors to better distinguish the different flood zone designations.

TOWN OF ORANGETOWN - DRAFT COMPREHENSIVE PLAN (O-2014A)

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
New York State Department of Environmental Conservation
New York State Department of Transportation
New York State Thruway Authority
Palisades Interstate Park Commission
Rockland County Department of Health
Rockland County Highway Department
Rockland County Department of Public Transportation
Rockland County Division of Environmental Resources
Rockland County Drainage Agency
Rockland County Office of Fire and Emergency Services
Rockland County Sewer District No. 1
Town of Clarkstown Planning Board
Villages of Chestnut Ridge, Grand View-on-Hudson, and Piermont Planning Boards

Rockland County Planning Board Members

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

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

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

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

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

September 22, 2023

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data:

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

Date Review Received: 09/13/2023

Item: ***TOWN OF ORANGETOWN - DRAFT COMPREHENSIVE PLAN (O-2014B)***

Update to the 2003 Orangetown Comprehensive Plan. The most recent draft of the Comprehensive Plan is dated September, 2023.
Throughout the Town

Reason for Referral:

County and State roads, parks and facilities, County streams, Long Path Hiking Trail, adjacent municipalities

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

Recommend the following modifications

The Rockland County Planning Department reviewed the September 2022 Draft Orangetown Comprehensive Plan and submitted comments on October 24, 2022. This department proposed several changes and ideas to be incorporated into the plan. We also commended the Town Board on your efforts to promote sustainability, climate resiliency and the modernization of the Town's zoning regulations. Additionally, we were pleased that the Draft Plan promoted a diversity of housing options to ensure access to quality housing . We found the goals and proposed actions of the September 2022 Draft were generally compatible with the County's interests.

On September 13, 2023, our department received an updated draft of the Comprehensive Plan dated September, 2023. We were dismayed to see that several crucial components are proposed to be removed in this revised draft, including strategies intended for addressing environmental sustainability, implementing transitional zoning districts, and encouraging diversified housing options. The proposed changes to the Town's Comprehensive Plan are inconsistent with the current need to address critical land use planning issues such as housing and climate change. This department is deeply concerned about these changes and encourages the Town Board to reinsert most, if not all, of the housing and sustainability related goals that have been removed from the September 2023 Draft.

We offer the Town Board the following comments regarding the September 2023 Draft Comprehensive Plan:

TOWN OF ORANGETOWN - DRAFT COMPREHENSIVE PLAN (O-2014B)

1 Under the Vision, Goals, and Objectives subsection of Chapter 1 (Introduction and Project Overview), the Town has removed a reference to the "three E's of sustainability," which include environment, economy, and equity. It is unclear why this statement would be removed and how the Town could benefit from not addressing the issue of sustainability. By definition, the goal of sustainability is to meet current needs of a population without compromising the needs of future generations. Sustainable development is a key cornerstone to a comprehensive plan. It is strongly recommended that the aforementioned paragraph and other references to sustainability are restored to the document.

2 Orangetown has experienced a slight decline in population between 2010 and 2020. This is consistent with the state-wide trend of population loss from out migration. One of the key factors that has driven this out-of-state migration has been the lack of affordable housing options in the region, particularly for young adults and seniors. Throughout the Appendices of the plan, there are repeated statements that there is not enough housing to accommodate young adults and seniors looking to downsize. Transitional districts, infill development, and "missing middle" housing are viable solutions for addressing the need for affordable housing while avoiding overdevelopment, and must be addressed in Orangetown's Comprehensive Plan. The Plan must address its population trends and the Town must provide for additional housing options to ensure equitable housing for its population. Once again, the plan should include the text from the September 2022 draft or be amended to properly address the housing challenges we are faced with.

3 Removing the option for transitional or middle-income housing from the Plan shows a lack of foresight and is in conflict with the demographic trends being observed. A Comprehensive Plan is meant to provide future guidance, which necessitates the anticipation of change. The approach in the September 2023 draft Plan is shortsighted and will only lead to more challenging land use and economic development issues as future needs go unmet. Failing to plan for greater diversity in housing (and mixed-use development), will result in a stagnant and poorly planned community that does not address the needs of Orangetown residents or the larger community.

4 A significant amount of information has been removed in Chapter 5 of the Draft Comprehensive Plan regarding the 2018 Pearl River Transit Oriented (TOD) Opportunities Analysis. The entire first paragraph of this subsection, included in the 2022 Draft Comprehensive Plan, has been deleted from the revised draft. This paragraph outlined the purpose of the TOD Analysis, noting that the study established a downtown revitalization strategy for the hamlet of Pearl River. The revised draft removed the strategy of supporting higher density housing closer to the train station. The 2022 draft also included the statement that Pearl River was well-positioned physically and economically for downtown infill development. The area surrounding the hamlet's train station could accommodate greater mixed and higher-intensity land uses. Furthermore, mixed-use and transit-oriented development is encouraged in the "Rockland Tomorrow: Rockland County Comprehensive Plan" as a means of providing additional housing options and creating communities where reliance upon automobile travel is reduced. By focusing higher density in downtown areas, the lower density of suburban areas can also be retained. The County Comprehensive Plan also adds that these centers provide housing that can support the elderly and the young, two sections of the County which were expected to grow. As previously noted, these age cohorts now comprise a larger percentage of Orangetown's population. It is recommended that the Comprehensive Plan be revised to include additional references to the Pearl River TOD and other opportunities for transit-oriented, mixed-use, and transitional development.

5 While our department disagrees with the changes concerning density made to the 2023 Comprehensive Plan, the "Future Land Use Map" in Chapter 2 (Current and Future Land Use, Zoning, and Design), has not been revised from the 2022 version. "Missing Middle Housing," which was distinctly removed from the text Chapter 2, still remains on the map. The contents of the Comprehensive Plan must be consistent.

TOWN OF ORANGETOWN - DRAFT COMPREHENSIVE PLAN (O-2014B)

6 Chapter 7 (Sustainability and Climate Resiliency) in the September 2023 draft is less proactive than its predecessor. Several solutions for reducing carbon emissions and climate resiliency have been omitted, including adopting the Community Choice Aggregation (CCA's) 100 percent NY sourced renewable electricity option as the default supply for the Town, and exploring efficient alternatives to the aging existing electrical grid infrastructure. Additionally, the 2022 draft "required" the use of green building technologies for heating and cooling for new construction, whereas the updated 2023 draft merely "encourages" this. These changes also contradict the County's previous recommendations that were issued on October 24, 2022, where we suggested additional measures for reducing waste and promoting sustainable development.

The New York State Climate Leadership and Community Protection Act (The Climate Act), which was signed into law in 2019, set a goal of reducing greenhouse gas emissions by 85% from 1990 levels by 2050. One of the key strategies towards meeting this goal of decarbonation is the electrification of our buildings and transportation systems. This will include the expanded use of electric vehicles (EVs) and the installation of publicly available EV charging stations. With U.S. automakers predicting that approximately one-half of new vehicle sales will be electric by 2030, the availability of charging stations will likely be a positive addition for residents as well as visitors to the Town. This department urges the Town to include this important infrastructure component as part of its overall Comprehensive Plan update. Additionally, as communities grow and develop there will be an increased demand for energy. The Comprehensive Plan update must address the need to design and construct buildings to maximize energy efficiency, decarbonize the heating and cooling of buildings and transition to renewable sources of energy.

7 The comments in the Planning Departments October 24, 2022 review letter remain valid and pertinent as the Town considers the Comprehensive Plan update.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
New York State Department of Environmental Conservation
New York State Department of Transportation
New York State Thruway Authority
Palisades Interstate Park Commission
Rockland County Department of Health
Rockland County Department of Public Transportation
Rockland County Division of Environmental Resources
Rockland County Drainage Agency
Rockland County Highway Department
Rockland County Office of Fire and Emergency Services
Rockland County Sewer District No. 1

Villages of Chestnut Ridge, Grand View-on-Hudson,
Town of Clarkstown Planning Board
and Piermont Planning Boards

Rockland County Planning Board Members

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

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

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

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

TOWN OF ORANGETOWN - DRAFT COMPREHENSIVE PLAN (O-2014B)

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

TOWN OF ORANGETOWN, ROCKLAND COUNTY
ZONING TEXT AMENDMENT

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)
NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

DATE: September 26, 2023

LEAD AGENCY: The Town Board of the Town of Orangetown
Orangetown Town Hall
26 Orangeburg Road
Orangeburg NY 10962

This Notice is issued pursuant to Part 617 of the implementing regulations of Article 8 (SEQRA) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant effect on the environment.

TITLE OF ACTION:

Adoption of Local Law No. __ of 2023 of the Town of Orangetown, amending the Town Zoning Law, and Zoning Map, to change the zoning classification of the parcel known as 90 West Madison Avenue in the hamlet of Pearl River, tax lot 68.19/4/24 from "CO" to "RG".

SEQRA STATUS:

Unlisted Action

DESCRIPTION OF ACTION:

The proposed action consists of a change to the zoning classification of the parcel known as 90 West Madison Avenue in the hamlet of Pearl River, tax lot 68.19/4/24 from "CC" to "RG".

DETERMINATION:

There will be no significant adverse environmental impact(s) as a result of the proposed action.

REASONS SUPPORTING THIS DETERMINATION:

The proposed action changes the zoning district of an existing tax parcel which has always been developed and used as a one family residence, and is located in a CO (Commercial Office) zoning district, to an RG (General Residence) zoning district, which is a neighboring zoning district. The parcel currently abuts the RG district.

The change is consistent with the most recent and proposed use of the existing lot; is consistent with the Town's Master Plan which notes residential uses for this area, and is already developed as such; and is otherwise in the best planning and zoning interests of the Town and the owner of the parcel, who has requested the change of zoning classification. The existing lot is bordered by the RG zone.

In addition, both the Town Planning Board, pursuant to Town Code Chapter 43, § 10.5, and the County Planning Department, pursuant to General Municipal Law §§ 239 L & M, have reviewed the proposed law, and neither has concluded that the proposed action will have any significant adverse impact.

POTENTIAL IMPACTS DETERMINED NOT TO BE SIGNIFICANT:

Based on the Short Environmental Assessment Form, prepared by the Town's Director of the Office of Building, Zoning, Planning and Enforcement, and the Town Board's familiarity with the parcels and the area in which they are situated, the Town Board has concluded that there will be no significant environmental impacts by the adoption of the zoning change specifically relating to:

- Traffic;
- Agricultural Land Resources
- Historic and Archaeological Resources
- Surface or Groundwater Quantity or Quality
- Critical Environmental Areas
- Energy
- Public Health
- Air Quality and Noise Levels
- Human Health, or
- Future Development of Adjacent and Nearby Lands

In summary, after having taken a hard look at the potential environmental impacts associated with the proposed action, the Town Board concludes that such action will not result in a significant adverse environmental impact.

For Further Information, Contact:

Town Supervisor Teresa M. Kenny
Town Hall, Town of Orangetown
26 Orangeburg Road
Orangeburg, New York 10962
(845) 359-5100

Rockland County

Ed Day, Rockland County Executive

RECEIVED

SEP 20 2023

SUPERVISOR'S OFFICE

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

September 21, 2023

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data: 68.19-4-24

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 07/27/2023 **Date Review Received:** 09/11/2023

Item: ***90 WEST MADISON AVENUE (O-2473)***

A petition to change the zoning of a 0.19-acre corner parcel from CO (Commercial Office District) to RG (General Residence District) and render the existing single-family dwelling a conforming use.
Southeast corner of West Madison Avenue and Elwin Avenue

Reason for Referral:

NYS Route 304, Muddy Creek

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

Recommend the following modifications

1 According to the land use data used by this department, the properties along the west side of NYS Route 304, between West Madison Avenue to the north and Grand Avenue to the south, are almost entirely residential uses, but are located within the CO zoning district. Residential uses are not a permitted within the CO zoning district; however, they are allowed within the RG district, as requested by the petitioner. It is recommended that the Town re-evaluate the other properties within the CO district and consider incorporating them into the RG zoning district so that the existing residential uses become legalized.

2 Question 13a. on the Short Environmental Assessment Form (SEAF) is answered incorrectly. The EAF Mapper Application, provided by the New York State Department of Environmental Conservation (https://gisservices.dec.ny.gov/eafmapper/), indicates that this question should be answered affirmatively. To ensure accurate SEQRA documentation, the Town must encourage applicants to use this tool to complete the SEAF as it populates the answers to certain questions using New York State database information.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
Rockland County Drainage Agency
New York State Department of Transportation

90 WEST MADISON AVENUE (O-2473)

John J. Gilchrist Architect

Dom & Alicia McGlashin

Rockland County Planning Board Members

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

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

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

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

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

TOWN OF ORANGETOWN, ROCKLAND COUNTY

ZONING TEXT AMENDMENT

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)
NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

DATE: September 26, 2023

LEAD AGENCY: The Town Board of the Town of Orangetown
Orangetown Town Hall
26 Orangeburg Road
Orangeburg NY 10962

This Notice is issued pursuant to Part 617 of the implementing regulations of Article 8 (SEQRA) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant effect on the environment.

TITLE OF ACTION:

Adoption of Local Law No. __ of 2023 of the Town of Orangetown, , amending Chapter 43, Article XV entitled "Landlord Registry Act" of the Town Code to provide for rules and regulations with respect to Short Term Rentals;

SEQRA STATUS:

Unlisted Action

DESCRIPTION OF ACTION:

The proposed action consists of providing for the definition and regulation of "Short Term Rentals" in the Town Zoning Code as set forth more fully therein.

DETERMINATION:

There will be no significant adverse environmental impact(s) as a result of the proposed action.

REASONS SUPPORTING THIS DETERMINATION:

The proposed action provides for the definition and regulation of short term rentals within the Town of Orangetown.

The proposed changes are being made to provide for guidance to residents on the types and lengths of rentals permitted for residential properties.

In addition, both the Town Planning Board, pursuant to Town Code Chapter 43, § 10.5, and the County Planning Department, pursuant to General Municipal Law §§ 239 L & M, have reviewed the proposed law, and neither has concluded that the proposed action will have any significant adverse impact.

POTENTIAL IMPACTS DETERMINED NOT TO BE SIGNIFICANT:

Based on the Short Environmental Assessment Form, prepared by the Town's Director of the Office of Building, Zoning, Planning and Enforcement, and the Town Board's familiarity with the parcels and the area in which they are situated, the Town Board has concluded that there will be no significant environmental impacts by the adoption of the zoning change specifically relating to:

- Traffic;
- Agricultural Land Resources
- Historic and Archaeological Resources
- Surface or Groundwater Quantity or Quality
- Critical Environmental Areas
- Energy
- Public Health
- Air Quality and Noise Levels
- Human Health, or
- Future Development of Adjacent and Nearby Lands

In summary, after having taken a hard look at the potential environmental impacts associated with the proposed action, the Town Board concludes that such action will not result in a significant adverse environmental impact

For Further Information, Contact:

Town Supervisor Teresa M. Kenny
Town Hall, Town of Orangetown
26 Orangeburg Road
Orangeburg, New York 10962
(845) 359-5100

** INBOUND NOTIFICATION : FAX RECEIVED SUCCESSFULLY **

TIME RECEIVED	REMOTE CSID	DURATION	PAGES	STATUS
September 21, 2023 at 9:12:03 AM EDT	5343463548	53	2	Received

09-21-'23 09:06 FROM- T-918 P0001/0002 F-561

Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

September 21, 2023

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data:

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: **Date Review Received:** 09/06/2023

Item: ***TOWN OF ORANGETOWN - SHORT TERM RENTALS (O-2472)***

Local law to amend Section 43-15 of the Town Code to prohibit certain short-term rentals of all properties in residential districts. Definitions for "assembly", "dwelling unit", and "short-term residential rental" will be added to Section 43-15.3.

Throughout the Town

Reason for Referral:

County and State roads, parks, and facilities; County streams; Long Path Hiking Trail; adjacent municipalities

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

Approve

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

1 The following additional comment is offered strictly as an observation and is not part of our General Municipal Law (GML) review. The board may have already addressed this point or may disregard it without any formal vote under the GML process:

1.1 Short-term residential rentals provide another option for visitors who do not wish, or cannot afford, to stay in a hotel within the County or the greater New York City area, and is a boost to the tourist economy. They also provide relief for homeowners who may wish to rent out all or parts of their home for additional income. This Local Law proposes to prevent any short-term rentals within Orangetown. The Town Board should consider the economic and social ramifications before determining whether to prohibit all short-term rentals of dwellings.

1.2 Under the definition of Short-Term Residential Rental in Section 15.3, the word "residential" is incorrectly spelled. This must be corrected.

TOWN OF ORANGETOWN - SHORT TERM RENTALS (O-2472)

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
New York State Department of Environmental Conservation
New York State Department of Transportation
New York State Thruway Authority
Palisades Interstate Park Commission
Rockland County Department of Health
Rockland County Division of Environmental Resources
Rockland County Drainage Agency
Town of Clarkstown
Villages of Chestnut Ridge, Grand View-on-Hudson, and Piermont

Rockland County Planning Board Members

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

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

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

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

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

LOCAL LAW NO. ___ OF 2023 OF THE
TOWN OF ORANGETOWN, TO AMEND ARTICLE XV (LANDLORD REGISTRY ACT), OF **CHAPTER 43 (ZONING), OF THE CODE OF**
THE TOWN OF ORANGETOWN, RELATED TO SHORT TERM USE OF PROPERTY FOR RENTAL OR OTHER RENTAL-LIKE PURPOSES

[EDITORIAL NOTE: Language to be deleted from the existing Code provisions are indicated by a ~~strikethrough~~; and new language to be added is typed in **bold and underscored**. All other language shown is to remain unchanged and is provided for context.]

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1 – Legislative Findings, Objectives and Purpose.
The Town of Orangetown ("Town" or "Orangetown") recognizes that there are rising concerns, and documented instances, that certain residential properties located in residential Zoning Districts within the unincorporated sections of the Town are being inappropriately used as short-term, income potential generating, commercial-like rental related use and/or other non-residential business purposes, to the detriment of the health, safety and welfare of neighboring property owners and the public at large, and also, at times, in violation of the existing regulations of Chapter 43 (Zoning) of the Orangetown Code ("Zoning Code"). Some of these rental related uses have included large parties, and similar gatherings, that have posed public safety concerns, contributed to excessive vehicle traffic and parking problems, as well as created an excessive amount of noise, disturbance and other disorder not compatible with the purposes of a residentially zoned neighborhood.

The Town also finds that short-term rental use of residential property, as defined herein, promotes or encourages the deterioration of residential housing stock of the Town, and this Local Law will prevent, or otherwise discourage, the use of residential property for financial benefit by those who do not use their property for only residential purposes as the residential Zoning Districts in the Town were intended to provide for at all times. The Town further finds that the imposition of substantial monetary, and other penalties, against those who do not use residential property, for the residential purpose that the Zoning Code was designed to promote and protect, is necessary to remove any financial, or other benefit, by those who do not use residential property exclusively for residential purposes. The Town furthermore finds that this Local Law will serve to halt the use of residential property for non-residential purposes, as has taken place already in the Town, and the proliferation of such conduct, which must be stopped to protect the health, safety and welfare of all those Town residents who are adversely impacted by such non-residential use of residential property.

In order to provide the Town with necessary additional information, with an aim toward ensuring compliance with the legal and permissible uses of residential properties within the Town, and to protect the health, safety and welfare of property owners in residential Zoning Districts, the Town is adopting this Local Law to prohibit the short-term rental, or similar use, of a residence for a period of time that is fewer than 30 consecutive days in duration in any residential Zoning District.

Section 2 – §43-15, of Article XV (Landlord Registry Act), of Chapter 43 (Zoning), , of the Code of the Town of Orangetown ("Orangetown Code"), shall be amended and, as amended, shall read as follows:

§ 15.1 Title**.**

The title of this Local Law shall be "Article XV: Landlord Registry Act, **and Short Term Use of Property for Rental or Rental Like Purposes**."

§ 15.2 Purpose and scope.

A. The purpose of this Article is to establish a registry of all purported rental properties, as defined herein, in order to allow its police, building and code enforcement officials, to identify and contact, as necessary, persons responsible for the **ownership**, care, maintenance, **occupancy,** ~~and~~ management, **leasing, renting or letting out, or other control,** of such properties, **and to prohibit certain short-term rentals of all properties in residential Zoning Districts, to protect and preserve the Town's goal of establishing residential Zoning Districts to protect the residential nature and tranquil neighborhood character in each and every such residential Zoning District, and** to better ensure the effective and efficient enforcement of Local, State And Federal safety regulations in furtherance of the health, safety and welfare of all of the residents of the Town.

B. The provisions of this article shall apply to all ~~rental~~ **real** property located in the Town of Orangetown **that is zoned for residential purposes.**

§ 15.3 Definitions**.**

For the purposes of this Article, the following words and phrases shall have the meanings ascribed to them:

ASSEMBLY

Any indoor or outdoor, or combination of both, gathering or get together, or invitation or notification regarding the same, of four or more people for a common purpose, which includes, but is not limited to, a party, scheduled or non-scheduled event, celebration, festivity, concert, performance, or similar group activity.

BUILDING

Any structure within the Town, wholly or partially enclosed within exterior walls, or within exterior and party walls, and a roof, affording shelter to persons, animals or property.

DWELLING UNIT

One or more rooms with provision for living, cooking, sanitary and sleeping facilities arranged in a Town Zoning District for the exclusive residential use by one family.

OWNER

Any individual or individuals, **natural person ("person"), sole proprietorship**, partnership, corporation, ~~LLC, LP~~, **limited liability company, limited liability partnership, limited partnership, organization, association**, or any other type of business entity, **or combination thereof,** and regardless of whether for-profit or not-for-profit, in whose name the title to real property within the Town is vested.

SHORT-TERM RESIDENTIAL RENTAL

A dwelling unit, as defined herein, including, but not limited to, a house, condominium, townhome, townhouse, cooperative unit, apartment, or any other residential building or land, that is rented or leased, or otherwise allowed to be occupied, in whole or in part, to any person or persons, or business entity such as a partnership, corporation, limited liability company, limited liability partnership, limited partnership, organization, association ("business entity"), for a period of time that is less than thirty consecutive days. "Rental", for these purposes, means an understanding, agreement or contract, written or oral, granting, allowing or permitting the use, occupancy or possession, of a residentially zoned building, land or property, in whole or part, by a person or business entity in exchange for monetary payment, remuneration, compensation, barter arrangement, or other consideration ("compensation"). The term "short-term rental" does not include hotel or motel rooms, or month-to-month tenancies in dwelling units authorized in a Town Zoning District for that purpose, but includes rentals, licenses, leases, letting or hiring out, or other such uses, as defined herein, for purposes of assembly.

RENTAL PROPERTY

Includes all buildings, as defined herein, **and/or land** containing one or more spaces rented, leased, licensed, let, hired, or permitted to be occupied **or used**, whether for compensation or ~~otherwise~~ **not,** by persons or entities other than the record owner thereof, **for a period of time that is thirty consecutive days or longer and that is not a short–term residential use of real property for rental, or rental-like purposes, as defined herein**. This definition includes any building containing commercial rental space, residential rental space, or a combination of commercial and residential rental space, but does not include owner-occupied residential buildings **or hotels and motels for purposes of this Article.**

TENANT

Any person or business entity who has leased, rented or licensed the use or occupancy of any dwelling unit from the owner, or from any other person or business entity with a right to allow or permit the same, regardless of the type of tenancy under which they use or occupy the renal unit.

§ 15.4 Registration of ownership rental property.

A. Registration. Every owner of rental property, as defined herein, shall be required to register such property, within a period of thirty days from the effective date of this Article, with the Town Clerk on such forms as shall be prescribed by the Town Clerk. A new registration form shall be filed whenever there is a change of ownership (and, in the case of a business entity, as

well as whenever there is a change in the controlling interest in the business entity) of a rental property, and it shall be the responsibility of the new owner to file such form within thirty days of taking title to the property.

(1) Following the initial registration, a biennial filing shall be made in and between January 1 and February 1, certifying that there has been no change in the status or ownership of the rental property or reflecting the nature of any change.

B. Registry fee. Every owner of rental property required to register with the Town Clerk shall pay a biennial registration fee as follows:

(1) For a building having one to four units: $20 per rental space or unit;
(2) For a building having five to 20 units: $20 for units one through four, and $10 per unit for units five through 20;
(3) For a building having more than 20 units: the above stated fees for units one through 20, and $5 for each unit over 20.
(4) Such fee shall be paid to the Town of Orangetown, and shall represent the cost of maintaining the registry and conducting periodic inspections and other activities, as may be required in furtherance of the purposes of this article.

§ 15.5 Registry form and filing.

A. The registry form shall require the following information:

(1) The property address and section, block and lot number as appears on the Tax Map of the Town of Orangetown, and the number of residential dwelling units and/or commercial units, as the case may be, permitted to be occupied on each property.

(2) The owner's name(s), mailing address(s), street address(s), and all functioning telephone numbers, including, but not limited to, a functioning cell phone number and a functioning email address (and a functioning facsimile/fax number, if and as available). Post Office Box numbers may be included, but the physical location address, at which the owner may be contacted, shall be required and submitted to the Town at all times. All such information shall be together referred to herein as "contact information."

(3) Where the property is owned by a corporation, the contact information of the person designated by the corporation as responsible for the management, maintenance, care or supervision of the property, and to receive service of process in addition to the Secretary of State, and of each shareholder thereof.

(4) Where the property is owned by a limited liability company ("LLC"), limited liability partnership ("LLP"), limited partnership ("LP") or partnership, the contact information of each manager or managing member or partner, and of each member or partner.

(a) Where an LLC, LLP, LP or partnership is owned or operated, in whole or in part, by a different LLC, LLP, LP or partnership, then the contact information of all the manager or managing members or partners, as the case may be, of the

LLC, LLP, LP or partnership that owns the registering LLC, LLP, LP or partnership.

(5) Where day-to-day responsibility for the management, supervision, care or maintenance of the property rests with a person other than the officer, shareholder, manager or managing member or partner set forth on the registration, the contact information of the person so responsible shall be submitted to the Town.

B. The form shall be signed by all of the owners before a notary public, and shall bear the following statement directly above such signatures: "I certify that all information contained in this statement, including the number of lawful rental spaces or units represented, is true and correct to the best of my knowledge and belief. I understand that the willful making of a false statement of material fact herein will subject me to the provisions of law relevant to the making of false instruments and shall constitute a violation of this Article.

C. It shall be the obligation of each owner to timely notify the Town Clerk whenever the information provided on the biennial registry form has become outdated or for any reason is no longer accurate. It shall be the responsibility of each owner to recertify the aforementioned information every two years.

§15.6 Short-Term Residential Rentals, and Other Rental-Like Purposes.

A. Short-Term Residential Rentals, and Other Rental-Like Purposes, prohibited. No owner, lessee, licensee, tenant or occupant, or other person or business entity, having any right to, or interest in, or claiming any right or interest in, any real property within the jurisdiction of the unincorporated area of the Town of Orangetown and located in an R-80, R-40, R-22, R-15, RG, MFR or PAC Zoning District, shall license, rent, lease, hire-out, let, or otherwise allow or permit, for compensation or not,, the use or occupancy of such property, or any part thereof, whether such use or occupancy is daily, hourly, overnight or weekly, for a period of time that is less than thirty consecutive days.

B. Short-Term Rental of Outdoor Pools and Spaces. No owner, lessee, licensee, tenant, or occupant, or other person or business entity, having any claimed and/or actual right to, or interest in, any real property within the jurisdiction of the unincorporated area of the Town of Orangetown and located in an R-80, R-40, R-22, R-15, RG, MFR or PAC Zoning District, shall license, rent, lease, hire-out, let, or otherwise allow or permit, for compensation, the use or occupancy of any outdoor spaces, including, but not limited to, swimming pools, spas, playgrounds and yards, for purposes of assembly.

C. Exception. Occupancy or use, pursuant to a post real estate closing (conveyance) possession agreement, by the seller of any dwelling unit, shall not be a violation of short-term rentals, provided that title has passed to the purchaser and the deed for the dwelling unit to the new owner has been filed in the Rockland County Clerk's Office on the same day, or within five days, of closing of title to the property.

§ 15.~~6~~**7** Penalties for offenses**; Enforcement**.

A. No rental property, **or short-term rental or rental-like purposes**, as defined herein, shall be used or occupied except in strict compliance with the provisions herein, and the failure to comply shall constitute a violation of a certificate of occupancy or other legal status permitting the use and occupancy of the building.

B. Any person or business entity who shall violate any provision of this Article **including but not limited to, each and every person and/or business entity, that is identified as being present at any residential property located in the Town that is covered by this Article, at the time of any violation, and/or participating in any such assembly prohibited by this Article,** shall be punishable as provided in § 41A-1 of the Orangetown Code in a monetary amount that is three (3) times the monetary amount provided therein, in addition to any civil penalties or remedies as may apply.

C. Civil remedies. In the event an owner fails, neglects or refuses, whether intentional or unintentional, to correct, cure and remedy, as well as abate, a violation under this Article within 24 hours of any Notice of a Violation by the Town, either posted on the subject property or otherwise provided to the owner thereof, the Town may commence, or cause to be filed, a criminal summons, as well as additionally file, or cause to be filed, a civil action requesting injunctive and/or other relief, and seek monetary damages to compensate the Town for the costs it has, and will incur, because of the violation and any efforts to stop the violation from continuing, including reasonable attorney's fees expended, or otherwise incurred, by the Town.

D. Other remedies. The remedies provided for in this Section are in addition to, and not in lieu of, all other legal remedies, criminal or civil, which may be pursued by the Town to address any violation of the Orangetown Code or other public nuisance, as well as including, but not limited to, by any Town resident under New York State Town Law Section 268. In the event any Town resident brings such an action under NYS Town Law §268, or otherwise, said Town resident shall be entitled to recover reasonable attorney's fees, costs and disbursements, as well as any damages any said Town resident has sustained by the person or business entity that caused, or contributed to, any violation herein of this Article, or other Orangetown Code provision, or State law, rule or regulation; however, such Town resident's entitlement to recover reasonable attorney's fees, costs and disbursements, and damages, etc., shall not be recoverable from, or awarded in favor of the Town resident, against the Town of Orangetown.

E. This Article may be enforced by the Orangetown (i) Office of Building, Zoning and Planning Administration and Enforcement, (ii) Bureau of Fire Prevention (iii) Police Department, and/or (iv) any other law enforcement agency having lawful jurisdiction to do so.

§15.8 Presumptive Evidence of a Violation.

A. The presence, or existence, of any of the following is presumptive evidence that a building is being used in violation of this Article:

(1) Person(s) occupying, using or present at the residence or property state that he/she/they have leased, rented, licensed or hired, or otherwise are allowed or have consent or permission to be present at the residence or property, from the owner, representative of the owner, or other person or business entity associated with the property, and/or paid, or offered to pay, any compensation, or otherwise provided any benefit, to the owner or representative of the owner, directly or indirectly, or any other person or business entity to be a guest, invitee or licensee, or otherwise allowed to use, occupy or be present at said residence or property for a time period of less than thirty consecutive days.

(2) The residence has been published in printed or online/internet sources as being available for short-term rental.

B. If any of the following documents, related to a property owner, sets forth any address, other than that of a residential property located in the Town, it is presumptive evidence that an owner of a property does not reside at said property in the Town:

(1) Voter registration.
(2) Motor vehicle registration.
(3) Driver's License.
(4) Any other document signed, or otherwise acknowledged, by the owner.

C. The issuance, and/or wearing and/or possession, of any wristbands, tickets, receipts, or other such documents, related to, and/or evidencing, any assembly prohibited by this Article.

D. The deposit of garbage and/or debris on any public road, or other properties nearby any property where a violation of this Article occurs, as well as parking of vehicles on public roads associated with any assembly prohibited by this Article, shall be evidence of a violation of this Article.

E. The generation of any noise coming from any property that is in violation of this Article at, or above, the noise levels proscribed by the Orangetown Code shall be evidence of a violation of this Article.

The foregoing may be rebutted by evidence admissible in any Court in New York State that is presented to the Town of Orangetown.

§15-9 Severability.

If any provision, clause, sentence, paragraph, section or part of this Article XV shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the provision, clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§15-10. When Effective.

This article shall take effect upon publishing and posting, and upon filing a copy with the New York State Secretary of State, as may be required by law.

Rockland County

Ed Day, Rockland County Executive

RECEIVED
SEP 26 2023
SUPERVISOR'S OFFICE

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

September 19, 2023

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data:

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

Date Review Received: 09/05/2023

Item: ***TOWN OF ORANGETOWN - PARKING LOTS & METERS IN SOUTH NYACK (O-2470)***

A proposed local law to amend Chapters 24 (Parking Lots & Meters) and 39 (Vehicles & Traffic) of the Orangetown Town Code and provide parking and traffic regulations concerning the Hamlet of South Nyack. Chapters 220 and 310, Articles I through IX, X, XII, and XV of the South Nyack Village Code will be repealed.

Hamlet of South Nyack

Reason for Referral:

County and State highways and parks; Long Path Hiking Trail; adjacent municipalities

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

Recommend the following modifications

1 Chapter 39, Article I, Subsection 39-6H.(1) references Chase Avenue, both sides, entire length. The map of the Hamlet of South Nyack provided with the GML Referral Form includes Chase Avenue labeled as "Central Avenue South." The proper road name must be confirmed, and all application material shall contain consistent information. If both road names are applicable, then both names shall be included in this subsection of the local law.

2 The following additional comment is offered strictly as an observation and is not part of our General Municipal Law (GML) review. The Board may have already addressed this point or may disregard it without any formal vote under the GML process:

2.1 This application was officially received by the Rockland County Planning Department on September 5, 2023. The application materials indicate that the public hearing is held on September 26, 2023 - only twenty-one days after the County received the application. As a reminder, State General Municipal Law, Section 239 (m) 4.(b) states that "Such county planning agency or regional planning council, or an authorized agent of said agency or council, shall have thirty days after receipt of a full statement of such proposed action, or such longer period as may have been agreed upon by the county planning agency or regional planning council and the referring body, to report its recommendations to the referring body, accompanied by a statement of the reasons for such recommendations." Adequate time must be provided to the Rockland County Planning Department in order for us to do our review before the public hearing is scheduled and the matter heard before the board.

TOWN OF ORANGETOWN - PARKING LOTS & METERS IN SOUTH NYACK (O-2470)

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
New York - New Jersey Trail Conference
New York State Department of Transportation
New York State Thruway Authority
Palisades Interstate Park Commission
Rockland County Department of Health
Rockland County Division of Environmental Resources
Rockland County Highway Department

Town of Clarkstown
Villages of Nyack, &
Grand View-on-Hudson

Rockland County Planning Board Members

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

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

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

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Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

TOWN OF ORANGETOWN: TOWN BOARD
ROCKLAND COUNTY: STATE OF NEW YORK

----------X

In the Application of:

VAN HOUTEN FARM MARKET BENEFIT TRUST,

VERIFIED PETITION FOR ZONING TEXT AMENDMENT

Petitioner,

To Amend the Town of Orangetown Code, Chapter 43, Zoning Article XI and Table of Use Requirements for the R-80 Zone District by defining Agricultural Operations and to Allow Agricultural Operations and Agri-Tourism by Right.

----------X

TOWN OF ORANGETOWN
2021 SEP 15 A 10: 30
TOWN CLERK'S OFFICE

Petitioner VAN HOUTEN FARM MARKET BENEFIT TRUST ("Petitioner"), by its attorneys Bleakley Platt & Schmidt, LLP, respectfully petitions the Town Board ("Town Board") of the Town of Orangetown, New York ("Town") as follows:

Introduction

1. This is a Petition pursuant to NY Town Law § 265 and the Orangetown Town Code (the "Code"), Chapter 43, §§ 10.4 and 10.5 to amend the Code to specifically define "agricultural operation" and "agri-tourism" and to permit such uses on properties of five acres or more, including the production, consumption, and sale of cider in the context of a commercial agricultural operation.

2. Petitioner is the owner of real property located at 68 Sickletown Road, Orangeburg, NY, presently designated as Tax Map Section 69.19, Block 1, Lot 6 (the "Property"). Petitioner currently operates a successful farm nursey business at the Property, which has been utilized as a farm by the Van Houten family since 1812.

3. Rulef Van Houten bought the historic Cuyper-Van Houten Stone House at 66 Sickletown Road in 1812 along with the surrounding land. Rulef Van Houten had a gris mill and sawmill on the property using power from the Naurashaun Brook (located where Sickletown & Blauvelt split west of the farm). The Property also was utilized for farming livestock, grain and vegetables.

4. Van Houten Farms as we know it today started in 1946 and remains one of the oldest and continued agricultural business in the Town. Annexed hereto as Exhibit "A" is a site plan of the Property, dated August 19, 2021, based on the existing conditions of the site, and prepared by Jay A. Greenwell, PLS, LLC.

5. The nature of farm nursey operations has changed over the years. What may have worked years and years ago, is no longer the case. To remain a sustainable and viable agricultural operation, the Petitioner broadened its agricultural offerings at the Property by introducing a cidery, music, food trucks and fire pits to attract and retain customers. Gone are the days of nurseries/farms having a singular, linear purpose. To survive as an agricultural use, Petitioner had to pivot with the times and evolve with new, agricultural related uses.

6. The Property is situated in the R-40 Zone District and is approximately 7.1 acres. Uses Permitted by Right in the R-40 Zone District are the same as those permitted by right in the R-80 Zone District except for No. 2(c) in Column 2 of the R-80 Use Regulations.[1]

7. Currently, the Town permits the following uses by right in the R-80 and R-40 Zone Districts:

> **Uses Permitted by Right**
>
> The following commercial *agricultural operation*, provided that there shall be no greenhouse-heating plant where coal is used for

[1] Since uses in the R-40 are the same as R-80, this Petition seeks an amendment to the R-80 Use Table which would also apply to R-40 Use Table.

fuel, stables or similar animal housing or the storage of manure or other odor-or dust-producing substance or use, except spraying or dusting to protect vegetation within 200 feet of any lot line:

(a) Nurseries, greenhouses and growing of mushrooms, provided that no smokestacks shall exceed the height regulations.

(b) Orchards, truck gardening and growing of filed crops and vineyards and growing of other bush or berry crops.

See Attachment 1, Chapter 43, Table of General Use Regulation, R-80 District, Column 2, item 2 (emphasis added).

General Accessory Uses

Buildings for display and sale of agricultural products, at least 50% of which shall be grown by the owner or lessee of the premises, provided that such building is at least 30 feet from any lot line; buildings for processing and storing of agricultural products subject to the same restrictions as for buildings for the display and sale; temporary open stands for display and sale of agricultural products subject to the same restrictions as buildings, except that such shall be located not less than 15 feet from any lot line and shall not encroach on pedestrian or vehicular rights-of-way or any required parking space.

See Attachment 1, Chapter 43, Table of General Use Regulation, R-80, Column 5, item No. 7.

8. Interestingly, the terms, "agricultural operation" and "nursery" are not defined anywhere in the Town Code.

9. Both agriculture and agri-tourism are legitimate zoning objectives under New York Agricultural and Markets Law and the New York State Constitution. It is the policy of the New York State Constitution to preserve agriculture and uses related to such use.

10. Petitioner seeks amendments to the Code to clarify what would constitute an agricultural operation and to allow agri-tourism as a legitimate land use objective in the Town. Specifically, Petitioner seeks amendments to i) Chapter 43, Zoning, Article XI, Definitions and Word usage, by inserting definitions of "agricultural operations" and "agri-tourism" and allow such uses to operate on property in the R-80 and R-40 Zone Districts on properties of five (5) acres

or more; ii) the R-80 Table of General Use Regulations Use Regulations by inserting under Column 1 - Uses Permitted By Right – Town Board, after item Number 2(c), the following text:

d. Agricultural operations and agri-tourism as defined in Article XI, Chapter 43 of the Town Code; and

iii) Amend the Town of Orangetown Table of General Use Regulations for R-80, Column 6, Minimum Required Off Street Parking Spaces by inserting after item number 9, the following:

	Use	**At least 1 Parking Space for each**
10)	Agricultural and agri-tourism on property with a minimum of five (5) acres	400 square feet of GFA

(together, the "Proposed Amendments"). A draft of the Proposed Amendments is annexed hereto as Exhibit "B").

11. Petitioner submits that the Proposed Amendments would clarify and legalize all uses currently in operation on the Property which are all consistent with agricultural operations and agri-tourism as those uses have evolved over time.

12. Additionally, the Proposed Amendments would remove any ambiguity or vagueness as to what constitutes an agricultural operation, while at the same time support the legitimate Town and State policies designed to preserve and foster such agricultural uses, particularly on a Property that has served as an agricultural landmark for over 200 years, long before the enactment of local zoning controls.

13. For the reasons set forth below, Petitioner respectfully requests that the Town Board accept the instant Petition, and commence the requisite environmental, planning and legislative review of the procedures to amend the Code as set forth in this Petition (collectively, the "Action").

The Petitioner and the Property

14. As set forth above, Petitioner owns and operates one of the oldest and longest, continuous serving nursery and agricultural operations in the Town.

15. Petitioner has a numerous following both in its customer base and on social media.

16. The Property is the County's premier destination for superior annuals, perennials, hanging baskets, roses, and vegetable and herb plants. Petitioner also carries a full selection of flowering shrubs, evergreens, trees, groundcovers and gardening supplies. The Property contains greenhouses, concrete and wood structures, tasting room, stables, riding rings, fire pits, indoor/outdoor seating, and tables among other items consistent with agricultural use.

17. In 2019, Petitioner opened Rockland Cider Works on the Property making cider using 100% New York apples and offering other New York State beers, wines and spirits, all in keeping with the context of its agricultural operation.

18. Over the course of last two centuries, single-family homes developed around the Property.

19. While the Code permits commercial agricultural operations by right, the lack of any definition fails to account for how such agricultural uses have evolved over time. Today, in order for such agricultural uses to survive, it must be tied to entertainment, agri-tourism, spirits, and other outdoor activities that can attract customers and make the Property a go to destination.

20. The proposed Action would simply legalize and clarify what constitutes an agricultural operation. The use is compatible with the zoning in the immediate area and the Town's overall needs. It is well within the Town Board's broad legislative authority to undertake this Action. *See Goodrich v. Town of Southhampton*, 39 N.Y.2d 1008, 387 N.Y.S.2d 242, 243 (1976) (noting the "strong presumption of validity which attaches to the legislative determinations" of a municipality when enacting zoning ordinances).

SEQRA

21. Pursuant to the New York State Environmental Quality Review Act ("SEQRA"), annexed hereto as Exhibit "C" is Petitioner's Full Environmental Assessment Form ("EAF"), prepared by Petitioner's engineering consultant, Jay A. Greenwell, PLS, LLC. Although

Petitioner fully expects to develop a comprehensive assessment of the Action during the SEQRA process, the EAF outlines the anticipated areas of potential environmental concern, such as traffic, stormwater management, visual impacts, and potential social and fiscal benefits for the Town.

22. In accordance with SEQRA Regulations, the proposed Action is an Unlisted Action, as it does not meet Type I Action thresholds.

23. Since the threshold elements of the Action involve the Town Board's legislative and administrative authority, we respectfully submit that the Town Board is the appropriate entity to serve as Lead Agency.

Requested Relief

1. In furtherance of this Action, Petitioner respectfully requests that the Town Board take the following administrative and legislative steps:

(a) accept this Petition;

(b) declare its intention to serve as Lead Agency to review the entire Action in a coordinated review pursuant to the SEQRA Regulations;

(c) refer the proposed Proposed Amendments to the appropriate agencies and Rockland County Department of Planning for review and recommendations;

(d) amend the Town Zoning Code definitions and R-80 Table of General Use Regulations; and

(e) taking such steps and other actions as the Board deems necessary.

[INTENTIONALLY LEFT BLANK]

Dated: September 14, 2020
White Plains, New York

Respectfully submitted,

BLEAKLEY PLATT & SCHMIDT, LLP

By:

Lino J. Sciarretta, Esq.
Brian J. Quinn, Esq.
Attorneys for the Petitioner
One North Lexington Ave – 7th Floor
White Plains, New York 10601
914-949-2700

VERIFICATION

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

Elisabeth C. Van Houten hereby deposes that she is a Trustee of the Van Houten Farm Market Benefit Trust, the Petitioner in this proceeding, and owner of a certain 7.1848-acre parcel of real property located on 68 Sickletown Road, Orangeburg, New York, presently designated as Tax Map Number 69.19-1-6, and says that the foregoing Petition is true to her knowledge, except as to those matters therein stated to be alleged on information and belief and as to those matters she believes them to be true.

Name: Elisabeth C. Van Houten
Title: Trustee of Van Houten Farm Market Benefit Trust

Sworn to before me this
14th day of September, 2021

Notary Public

LINO J. SCIARRETTA
NOTARY PUBLIC, State of New York
No. 02SC6327920
Qualified in Rockland County
Term Expires July 20, 2019 2023

EXHIBIT "A"

SITE PLAN BASED ON EXISTING CONDITIONS

RE. NCES
1. BEING LOT #2 AS SHOWN ON "MINOR SUBDIVISION FOR VAN HOUTEN'S FARM" FILED IN THE ROCKLAND COUNTY CLERKS OFFICE AS MAP #6395.
2. "SURVEY MAP FOR JAMES B. VAN HOUTEN" BY ROBERT R. BANKFIELD, PLS,PC LAST DATED 7/12/1960
"STANDARD SITE PLAN NOTES" (ALTHOUGH NO CONSTRUCTION IS PROPOSED WITH NO DISTURBANCE TO EXISTING IMPROVEMENTS)
VICINITY MAP SCALE 1"=300'
BLAUVELT ROAD
SICKLETOWN ROAD
NAURASHAUN BROOK
TAX LOT 69.11-1-3 N OR F CORWIN REALTY CO
TAX LOT 69.15-1-16 N OR F NAPOLITANO
TAX LOT 69.15-1-17 N OR F VAN HOUTEN
TAX LOT 69.15-1-18 N OR F REYNOLDS
TAX LOT 69.15-1-19 N OR F STAPLETON
TAX LOT 69.15-1-20 N OR F VAN HOUTEN
TAX LOT 69.15-1-21 N OR F NAURASHAUN PRESBYTERIAN CHURCH
TAX LOT 69.19-1-5 N OR F GOGGIN
TAX LOT 69.19-1-4 N OR F COLBERT
TAX LOT 69.19-1-7 N OR F CORWIN REALTY CO
5' WIDE ROAD WIDENING EASEMENT TO COUNTY OF ROCKLAND PER FILED MAP #6395
PERMANENT EASEMENT AS SHOWN ON FILED MAP #6395 FOR IMPROVEMENTS AND MAINTENANCE
IMPROVEMENTS IN THIS AREA ARE SHOWN FROM LIMITED FIELD SHOTS & AERIAL SURVEY. EXISTING TENANT RESTRICTED ACCESS TO SITE
FRAME DWELLING
GREENHOUSE
BIRDHOUSE
FRAME BUILDING (STORE)
RIDING RING
TENTED RIDING RING
DIRT RIDING AREA
CONC & FRAME STABLES
CORRAL
CH.LINK PEN
GRAVEL
DIRT & GRAVEL
MACADAM
WOOD RAIL FENCE
METAL FENCE
CHAIN LINK FENCE
SITE PLAN OF A PORTION OF TAX LOT 69.19-1-6, AS SHOWN ON THE TOWN OF ORANGETOWN TAX MAPS.
OWNER: VAN HOUTEN FAMILY MARKET BENEFIT TRUST, 86 SICKLETOWN RD, ORANGEBURG, NY 10962
1. PRESENT USE: SAME AS ABOVE
2. LOT AREA: 7.102 AC
3. ALL NEW UTILITIES, INCLUDING ELECTRIC AND TELEPHONE SERVICE SHALL BE INSTALLED UNDERGROUND. (NONE ARE PROPOSED)
4. THIS PLAN DOES NOT CONFLICT WITH THE COUNTY OFFICIAL MAP, AND HAS BEEN APPROVED IN THE MANNER SPECIFIED BY SECTION 239-L & M OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK.
5. THIS PLAN IS SUBJECT TO DETAILS OF GRADING, ROADS AND UTILITIES AS SHOWN ON CONSTRUCTION PLANS APPROVED BY THE PLANNING BOARD AND FILED WITH THE TOWN CLERK.
6. LOT DRAINAGE SHOWN ON SUCH PLANS SHALL CONSTITUTE EASEMENTS RUNNING WITH THE LAND AND SHALL NOT BE DISTURBED.
7. ANY EXISTING UTILITIES (POLES, HYDRANTS, ETC.) AFFECTED BY CONSTRUCTION OF THIS SITE PLAN SHALL BE RELOCATED AT THE DEVELOPERS EXPENSE PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY.
8. MONUMENTS TO BE SET AT ALL CORNERS OF THE ORIGINAL PARCEL UNLESS NOT OTHERWISE MARKED (EXCEPTION THERE.
9. CERTIFICATE OF OCCUPANCY SHALL NOT BE REQUESTED FROM THE TOWN OF ORANGETOWN BUILDING DEPARTMENT UNTIL RESULTS OF PERCOLATION AND EXFILTRATION TESTS FOR SANITARY SEWERS ARE CERTIFIED BY A NEW YORK STATE LICENSED PROFESSIONAL ENGINEER AND APPROVED BY THE TOWN.
10. ALL AREAS DISTURBED BY ON-SITE GRADING WILL BE LAND AND FERTILIZED PRIOR TO SEEDING.
11. SIDEWALKS AND CURBS, WHERE REQUIRED, SHALL BE INSTALLED IN ACCORDANCE WITH THE HIGHWAY DEPT.
12. NO BUILDING PERMIT SHALL BE ISSUED UNTIL RESULTS OF TEST PITS HAVE BEEN SUBMITTED TO THE BUILDING DEPT.
13. NO BUILDING PERMIT SHALL BE ISSUED UNTIL SITE PLANS HAVE BEEN APPROVED BY ACAMOR.
14. DATUM SURVEY BY BASED ON.
15. DATUM SURVEY BY BASED ON.
16. ALL SEWER CONNECTIONS SHALL BE APPROVED BY THE TOWN OF ORANGETOWN DEPARTMENT OF ENVIRONMENTAL MANAGEMENT AND ENGINEERING.
17. AT LEAST ONE WEEK PRIOR TO THE COMMENCEMENT OF ANY WORK, INCLUDING THE INSTALLATION OF EROSION CONTROL DEVICES OR THE REMOVAL OF TREES AND VEGETATION, A PRE-CONSTRUCTION MEETING MUST BE HELD WITH THE TOWN OF ORANGETOWN BOARD, STAFF, OF MEMBERS AND THE OFFICE OF BUILDING, ZONING & PLANNING ADMINISTRATION AND ENFORCEMENT. IT IS THE RESPONSIBILITY AND OBLIGATION OF THE PROPERTY OWNER TO ARRANGE SUCH A MEETING.
18. ALL LANDSCAPING SHOWN ON THE SITE PLAN SHALL BE MAINTAINED IN A VIGOROUS GROWING CONDITION THROUGHOUT THE DURATION OF THE USE OF THIS SITE. ANY PLANTS NOT SO MAINTAINED SHALL BE REPLACED WITH NEW PLANTS AT THE BEGINNING OF THE NEXT IMMEDIATELY FOLLOWING GROWING SEASON.
19. PRIOR TO THE COMMENCEMENT OF ANY SITE WORK, INCLUDING THE REMOVAL OF TREES, THE APPLICANT SHALL INSTALL THE SOIL EROSION & SEDIMENTATION CONTROL AS REQUIRED BY THE PLANNING BOARD. PRIOR TO THE AUTHORIZATION TO PROCEED WITH ANY PHASE OF THE SITE WORK, THE TOWN BOARD SHALL INSPECT THE INSTALLATION OF ALL REQUIRED SOIL EROSION & SEDIMENTATION CONTROL MEASURES. THE APPLICANT SHALL CONTACT DEME AT LEAST 48 HOURS IN ADVANCE FOR AN INSPECTION.
20. THE CONTRACTOR'S TRAILER, IF ANY IS PROPOSED, SHALL BE LOCATED AS APPROVED BY THE PLANNING BOARD.
21. IF THE APPLICANT, DURING THE COURSE OF CONSTRUCTION, ENCOUNTERS SUCH CONDITIONS AS FLOOD AREAS, UNDERGROUND WATER, SOFT OR SILTY AREAS, IMPROPER DRAINAGE OR ANY OTHER UNUSUAL CIRCUMSTANCES OR CONDITIONS THAT WERE NOT FORESEEN IN THE ORIGINAL PLANNING, SUCH CONDITIONS SHALL BE REPORTED IMMEDIATELY TO DEME. THE APPLICANT SHALL SUBMIT THEIR RECOMMENDATIONS AS TO THE SPECIAL TREATMENT TO BE GIVEN SUCH AREAS TO SECURE NECESSARY PERMANENT AND SATISFACTORY CONSTRUCTION. DEME SHALL INVESTIGATE THE CONDITION(S), AND SHALL EITHER APPROVE THE APPLICANT'S RECOMMENDATIONS TO CORRECT THE CONDITION(S) OR ORDER A MODIFICATION THEREOF. IN THE EVENT OF THE APPLICANT'S DISAGREEMENT WITH THE DECISION OF DEME, OR IN THE EVENT OF A SIGNIFICANT CHANGE RESULTING TO THE SITE PLAN OR ANY CHANGE THAT INVOLVES A WETLAND REGULATED AREA, THE MATTER SHALL BE DECIDED BY THE AGENCY WITH JURISDICTION IN THAT AREA (i.e. WETLANDS—US ARMY CORPS OF ENGINEERS)
22. PERMANENT VEGETATIVE COVER OF DISTURBED AREAS SHALL BE ESTABLISHED ON THE SITE WITHIN THIRTY (30) DAYS OF THE COMPLETION OF CONSTRUCTION.
23. PRIOR (AT LEAST 14 DAYS) TO THE PLACING OF ANY BASE SUB-BASE, THE APPLICANT SHALL PROVIDE THE TOWN OF ORANGETOWN SUPT. OF HIGHWAYS A SKETCH WITH A PLAN & PROFILE OF THE GRADED ROAD TO BE PAVED IN ORDER THAT THESE DEPARTMENTS MAY REVIEW THE DRAWINGS FOR COMPLIANCE TO APPROVED CONSTRUCTION PLANS & TOWN STREET SPECIFICATIONS.
24. THE PLANNING BOARD SHALL RETAIN JURISDICTION OVER LIGHTING, LANDSCAPING SIGNS, AND REFUSE CONTROL.
25. NO BUILDING PERMIT WILL BE ISSUED UNTIL SIGNAGE, ARRANGEMENTS HAVE BEEN APPROVED BY THE ROCKLAND COUNTY DEPT. OF HEALTH, AND/OR THE TOWN OF ORANGETOWN.
26. A TREE PROTECTION PROGRAM WILL BE IMPLEMENTED AS AGREED TO PROTECT AND PRESERVE BOTH INDIVIDUAL SPECIMEN TREES AND BUFFER AREAS WITH MANY TREES. STEPS THAT WILL BE TAKEN TO PRESERVE AND PROTECT EXISTING TREES TO REMAIN ARE AS FOLLOWS:
a. NO CONSTRUCTION EQUIPMENT SHALL BE PARKED UNDER THE TREE CANOPY.
b. THERE WILL BE NO DISPOSITION OR STOCKPILING OF EARTH UNDERNEATH TREES.
c. TREES DESIGNATED TO BE PRESERVED SHALL BE MARKED CONSPICUOUSLY ON ALL SIDES AT A 5 TO 10 FOOT HEIGHT, AND THE TREE PROTECTION ZONE FOR TREES DESIGNATED TO BE PRESERVED WILL BE ESTABLISHED BY ONE OF THE FOLLOWING METHODS:
1. ONE (1) FOOT RADIUS FROM TRUNK PER INCH DBH
2. DRIP LINE OF THE TREE CANOPY
THE METHOD CHOSEN SHOULD BE BASED ON PROVIDING THE MAXIMUM PROTECTION ZONE POSSIBLE. A BARRIER OF SNOW FENCE OR EQUAL, 42 TO BE PLACED AND MAINTAINED ONE YARD BEYOND THE ESTABLISHED TREE PROTECTION ZONE. IF IT IS ADJUDGED THAT THE TREE PROTECTION ZONE OF A SELECTED TREE MUST BE VIOLATED, ONE OF THE FOLLOWING METHODS MUST BE EMPLOYED TO MITIGATE THE IMPACT:
1. LIGHT TO HEAVY IMPACTS— MINIMUM OF EIGHT INCHES OF WOOD CHIPS INSTALLED IN THE AREA TO BE PROTECTED. CHIPS SHALL BE REMOVED UPON COMPLETION OF WORK.
2. LIGHT IMPACTS ONLY— INSTALLATION OF 3/4 INCH OF PLYWOOD OR BOARDS, OR EQUAL OVER THE AREA TO BE PROTECTED. THE BUILDER OR ITS AGENT MAY NOT CHANGE GRADE WITHIN THE TREE PROTECTION ZONE OF A PRESERVED TREE UNLESS SUCH GRADE CHANGE HAS RECEIVED FINAL APPROVAL FROM THE PLANNING BOARD. IF THE GRADE LEVEL IS TO BE CHANGED MORE THAN SIX (6) INCHES TREES DESIGNATED TO BE PRESERVED SHALL BE WELLED AND/OR PRESERVED BY A RAISED BED, WITH THE TREE WELL RADIUS OF THREE (3) FEET LARGER THAN THE TREE CANOPY.
LEGEND
CB DRAIN BASIN/FIELD INLET
DRAIN LINE
SANITARY MANHOLE / PIPE
EDGE OF PAVEMENT
CONCRETE CURB
GAS LINE
WATER LINE
UTILITY POLE W/ OVERHEAD WIRES
OVERHEAD/UNDERGROUND ELECTRIC
LIGHT POLE
ZONING - ZONE R-40
MINIMUM LOT AREA: REQUIRED USE GROUP "E" 40,000 SF; REQUIRED USE GROUP "H" 80,000 SF; EXISTING 7.1 ACRES
MINIMUM LOT WIDTH: 150' / 300' / 800'±
MIN STREET FRONTAGE: 100' / 150' / 750'+
MIN FRONT YARD: 50' / 100'
MIN SIDE YARD: 30' / 100'
TOTAL SIDE YARD: 80' / 200'
MIN REAR YARD: 50' / 100'
MAX BLDG HEIGHT: 5'/FT / 3'/FT
MAX. FAR: 0.15 / 0.15 / 0.104
NO CHANGE TO EXISTING CONDITIONS
EXISTING VARIANCES
1. VARIANCES CONCERNING PENNED OR HOUSED ANIMALS: Section 3:11, R-40 (R-80) Column 4, Item 5 were granted per decision #88-18; April 20, 1988
2. VARIANCES FOR TWO EXTERNAL TRAILERS, OUTDOOR LOADING BERTH: Section 7.34, extension of Non-Conforming Use granted per decision #88-111; Dec. 7, 1988
3. VARIANCES FOR 60' DIA. TENTED RIDING RING (SIDE YARD OF 15'± AND HEIGHT OF 28' 8 1/2") ZBA #12-49, 7/25/2012.
DATE REVISIONS
DESIGNED JAG
DRAWN LDW
CHECKED JAG
APPROVED JAG
JAY A. GREENWELL, PLS NYS LIC. # 49676
SITE PLAN FOR
ROCKLAND CIDERY
68 SICKLETOWN ROAD
TOWN OF ORANGETOWN
ROCKLAND COUNTY, NEW YORK
JAY A. GREENWELL, PLS, LLC
LAND SURVEYING – LAND PLANNING
85 LAFAYETTE AVENUE, SUFFERN, NEW YORK, 10901
PHONE 845-357-0830 FAX 845-357-0756
TAX LOT # 69.19-1-6
AREA 309,344 SF 7.102 AC
FILE 21205TOPO
SCALE 1"=40'
DATE 08/16/21
JOB NO. 21205

EXHIBIT "B"

PROPOSED LOCAL LAW

PROPOSED LOCAL LAW

TOWN OF ORANGETOWN

PROPOSED LOCAL LAW # ___ - 2021

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1. Title

A Local Law Amending the General Use and Bulk Requirements for R-80 Zone Districts.

Section 2. Legislative Intent.

The Town Board recognizes that protection of agriculture and agri-tourism is a legitimate zoning objective under New York State's statutes, which the regulations set forth in this section seek to achieve. It is also a policy of the New York State Constitution to preserve agriculture and uses related thereto. The mechanism for achieving this balance is to permit a modification in the Town's use and bulk requirements in the R-80 Zone District. If an applicant meets the requirements below, the Town Board shall permit agricultural activities and agri-tourism uses to be developed and operated on qualified sites with a minimum of five (5) acres.

Section 3. Text Amendments.

Amend Chapter 43, Zoning, Article XI, Definitions and Word Usage by adding the following definition:

Agricultural Operations – land, buildings and equipment used to produce, prepare and market crops, livestock and livestock products as a commercial enterprise, including but not limited to the following on sites of five (5) acres or more: 1) field crops including corn, wheat, oats, rye, barley, hay, potatoes, dry beans and sod; 2) vegetables including tomatoes, snap beans, cabbage, carrots, beets, onions and corn; 3) fruits including apples, berries, cherries, peaches and pumpkins; 4) horticultural ornamental specialties including nursery stock, shrubs, ornamental trees, flowers and vegetables; 5) Christmas trees derived from a managed Christmas tree operation whether dug for transplanting or cut from the stump; 6) Further, agricultural operations shall include an activity engaged in, by, or on behalf of a farmer in connection with any furtherance of the business of agriculture or farming and shall include, without limitation, tillage, planting, harvesting and marketing; construction of farm structures and facilities, including farm wineries and other on-farm food processing, as permitted by local and state building code regulation, in order to enhance the marketing of farm products; construction and maintenance of certain farm buildings and other structures related to agricultural practices.

Agri-tourism - a set of activities that occurs when people link travel with the products, services, and experiences of agriculture. Agri-tourism is conducted for the enjoyment or education of the public and primarily promotes the sale, marketing, production, harvesting, or use of the products of the farm operation. Examples of agri-tourism include, but are not limited to, hayrides, food

trucks, music, farm winery pursuant to Section 76-A of the New York State Alcoholic Beverage Control Law, farm tours, and farm festivals designed to support farm operations.

Amend the Town of Orangetown Table of General Use Requirements for the R-80 Zone District, by inserting under Column 1 - Uses Permitted By Right – Town Board, after item Number 2(c), the following text:

d. Agricultural operations and agri-tourism as defined in Article XI, Chapter 43 of the Town Code.

Amend the Town of Orangetown Table of General Use Regulations for R-80, Column 6, Minimum Required Off Street Parking Spaces by inserting after item number 9, the following:

	Use	**At least 1 Parking Space for each**
10)	Agricultural and agri-tourism on property with a minimum of five (5) acres.	400 square feet of GFA

Section 3. When effective.

This local law shall take effect immediately upon filing with the Secretary of State

EXHIBIT "C"

Full Environmental Assessment Form

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 project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Rockland Cider Works		
Project Location (describe, and attach a general location map): 68 Sickletown Road, Orangeburg, NY 10962		
Brief Description of Proposed Action (include purpose or need): Existing farm stand and horse stables will remain, and cider production facility with tasting room, shed, indoor and outdoor guest seating to be maintained. A zoning text amendment from the Town Board is being requested to permit the production, consumption and sale of cider on site, in the context of a commercial agricultural operation.		
Name of Applicant/Sponsor: Van Houten Farm Market Benefit Trust	Telephone: 518-231-8000 E-Mail: elisabeth@vanhoutenfarmsny.com	
Address: 68 Sickletown Road		
City/PO: Orangeburg	State: NY	Zip Code: 10962
Project Contact (if not same as sponsor; give name and title/role): Brian J. Quinn, Esq.	Telephone: 914-287-6122 E-Mail: bquinn@bpslaw.com	
Address: Bleakley Platt & Schmidt LLP, 1 North Lexington Ave.		
City/PO: White Plains	State: NY	Zip Code: 10601
Property Owner (if not same as sponsor): Van Houten Farm Market Benefit Trust; Elisabeth Van Houten, Trustee	Telephone: 518-231-8000 E-Mail: elisabeth@vanhoutenfarmsny.com	
Address: 68 Sickletown Road		
City/PO: Orangeburg	State: NY	Zip Code: 10962

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	☑Yes ☐No	Proposed Zone Text Amendment to modify agricultural use definition	Sept. 2021 +/-
b. City, Town or Village Planning Board or Commission	☑Yes ☐No	Site Plan approval	Aug. 2021
c. City Council, Town or Village Zoning Board of Appeals	☑Yes ☐No	Possibly, for setbacks to existing buildings	Oct. 2021 +/-
d. Other local agencies	☑Yes ☐No	ACABOR	Nov. 2021 +/-
e. County agencies	☑Yes ☐No	RC Planning---GML review, RC Drainage Agency--Stream, RC Highway--Sickletown Rd.	Oct. 2021 +/-
f. Regional agencies	☐Yes ☑No		
g. State agencies	☐Yes ☑No		
h. Federal agencies	☐Yes ☑No		
i. Coastal Resources. *i.* Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?			☐Yes ☑No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?			☐Yes ☑No
iii. Is the project site within a Coastal Erosion Hazard Area?			☐Yes ☑No

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? • **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	☐Yes ☑No
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?) If Yes, identify the plan(s):	☐Yes ☑No
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? If Yes, identify the plan(s):	☐Yes ☑No

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?
R-40 zoning

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? Zoning text to permit cider production, consumption and sales in agricultural use definition

C.4. Existing community services.

a. In what school district is the project site located? Pearl River

b. What police or other public protection forces serve the project site?
Orangetown Police, Fire, and Ambulance

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

d. What parks serve the project site?
Palisades Int. Park system, Blauvelt State Park, Tackamack Park

D. Project Details

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)? Residential, Water supply reservoir, summer day camp, church

b. a. Total acreage of the site of the proposed action? 7.102 acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 7.102 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 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.

	One Family	Two Family	Three Family	Multiple Family (four or more)
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 2 Sheds (ex)

ii. Dimensions (in feet) of largest proposed structure: 10' +/- height; 8' width; and 16' length

iii. Approximate extent of building space to be heated or cooled: no new heated / cooled area 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? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☑No

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 proposed action cause or result in disturbance to bottom sediments? ☐Yes☐No

If Yes, describe: _____

iv. Will 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

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), 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 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 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)

_____

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_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (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 semi-trailer truck trips/day: _____

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 ½ 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.

i. During Construction:

- Monday - Friday: na
- Saturday: na
- Sunday: na
- Holidays: na

ii. During Operations:

- Monday - Friday: Seasonal 12 - 8 pm
- Saturday: 12-7 pm
- Sunday: 12-7 pm
- Holidays: same

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 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:

Yes, decorative low level lighting overhead

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 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 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

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:

Residential homes, reservoir, church, summer camp

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.5	1.5	0
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.3	0.3	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0.75	0.75	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.3	0.3	0
• Wetlands (freshwater or tidal)	in above	in above	0
• Non-vegetated (bare rock, earth or fill)	3.75	3.75	0
• Other Describe: Landscaping	0.5	0.5	0

c. Is the project site presently used by members of the community for public recreation? ☐Yes ☑No

i. If Yes: explain: _____

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:

summer camp--Kaufmann Camp

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:

iii. Describe any development constraints due to the prior solid waste activities: _____

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:

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: _____

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):

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☑ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 5-6 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? 0 %

c. Predominant soil type(s) present on project site:

Hinckley gravelly loamy sand	90 %
Alden Silt Loam	5 %
Wethersfield Gravelly Silt Loam	5 %

d. What is the average depth to the water table on the project site? Average: 6'+ feet

e. Drainage status of project site soils:
☑ Well Drained: ____% of site
☐ Moderately Well Drained: ____% of site
☐ Poorly Drained ____% of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 95 % of site
☑ 10-15%: 5 % of site
☐ 15% or greater: ____% of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No
ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No
If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Naurashaun Brook Classification C (T)
- Lakes or Ponds: Name Lake Tappan Classification A
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☑ Yes ☐ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____
Naurashaun Brook--"pollutants of unknown toxicity" per NYS DEC

i. Is the project site in a designated Floodway? ☑ Yes ☐ No

j. Is the project site in the 100 year Floodplain? ☑ Yes ☐ No

k. Is the project site in the 500 year Floodplain? ☑ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑ Yes ☐ No
If Yes:
i. Name of aquifer: Principal Acquifer--per NYS DEC

m. Identify the predominant wildlife species that occupy or use the project site:
raccoon / opossum / squirrels, deer, bird life, rodents

n. Does the project site contain a designated significant natural community? ☐Yes ☑No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): _____
ii. Source(s) of description or evaluation: _____
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

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? ☐Yes ☑No

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? ☐Yes ☑No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No
If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

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? ☐Yes ☑No
If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☑No
i. If Yes: acreage(s) on project site? _____
ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No
If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. 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? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Palisades Int. Parkeway

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Scenic Byway

iii. Distance between project and resource: 1.5 +/- miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ 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.

G. Verification

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

Applicant/Sponsor Name Van Houten Farm Market Benefit Trust Date August 25, 2021

Signature _____ Title Trustee

PRINT FORM

Lino J. Sciarreta, Esq.
Phone: 914-287-6177
Email: lsciarreta@bpslaw.com

September 15, 2021

BY HAND

TOWN OF ORANGETOWN
2021 SEP 15 A 10:30
TOWN CLERK'S OFFICE

Supervisor Teresa M. Kenny & Members of the Town Board
Town of Orangetown
26 Orangeburg Road
Orangeburg, NY 10962

Re: Zoning Petition – 68 Sickletown Road, Orangeburg, NY (the "Property")

Dear Supervisor Kenny & Members of the Town Board:

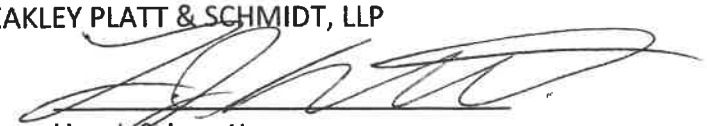
We represent Petitioner, Van Houten Farm Market Benefit Trust ("Van Houten"), in connection with the above-referenced matter. Van Houten is the owner of the Property where Van Houten Farms and Rockland Cider Works currently operate. The Property is situated in the R-40 Zone District and is approximately 7.1 acres. Generally, uses permitted by right in the R-40 Zone District are the same as those permitted by right in the R-80 Zone District.

In sum, this Petition seeks to amend the Code to specifically define "agricultural operation" and "agri-tourism" and to permit such uses on properties of five acres or more, including the production, consumption, and sale of cider and related products in the context of a commercial agricultural operation. The term, "agricultural operation," while used in the Town Zoning Code, is not a defined term. Petitioner submits that the proposed amendments would clarify and legalize all uses currently in operation on the Property, which are consistent with agricultural operations and agri-tourism as those uses have evolved over time.

To that end, enclosed are an original and nine (9) copies of the zoning petition. We respectfully request the Town Board place the petition on the next available agenda and begin the review process. Please let us know anything else you require and do not hesitate to contact our office should you have any questions or comments.

Respectfully submitted,

BLEAKLEY PLATT & SCHMIDT, LLP

By: 
Lino J. Sciarretta
Brian J. Quinn

Enclosures

TOWN OF ORANGETOWN

PROPOSED LOCAL LAW # ___ - 2021

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1. Title

A Local Law Amending the General Use and Bulk Requirements for R-80 Zone Districts.

Section 2. Legislative Intent.

The Town Board recognizes that protection of agriculture and agri-tourism is a legitimate zoning objective under New York State's statutes, which the regulations set forth in this section seek to achieve. It is also a policy of the New York State Constitution to preserve agriculture and uses related thereto. The mechanism for achieving this balance is to permit a modification in the Town's use and bulk requirements in the R-80 Zone District. If an applicant meets the requirements below, the Town Board shall grant a special use permit, with reasonable conditions, allowing agricultural activities and agri-tourism uses to be developed and operated on qualified sites with a minimum of five (5) acres. The special use permit would remain in effect and run with the land until such time the use of the land changes.

Section 3. Text Amendments.

Amend Chapter 43, Zoning, Article XI, Definitions and Word Usage by adding the following definition:

Agricultural Activities - land, buildings and equipment used to produce, prepare and market crops, livestock and livestock products as a commercial enterprise, including but not limited to the following on sites of five (5) acres or more: 1) field crops including corn, wheat, oats, rye, barley, hay, potatoes, dry beans and sod; 2) vegetables including tomatoes, snap beans, cabbage, carrots, beets, onions and corn; 3) fruits including apples, berries, cherries, peaches and pumpkins; 4) horticultural ornamental specialties including nursery stock, shrubs, ornamental trees, flowers and vegetables; 5) Christmas trees derived from a managed Christmas tree operation whether dug for transplanting or cut from the stump; 6) Further, agricultural operations shall include any activity engaged in, by, or on behalf of a farmer in connection with any furtherance of the business of agriculture or farming and shall include, without limitation, tillage, planting, harvesting and marketing; construction of farm structures and facilities, including farm wineries, cideries and other on-farm food processing, as permitted by local and state building code regulation, in order to enhance the marketing of farm products; construction and maintenance of certain farm buildings and other structures related to agricultural practices.

Agri-tourism - a set of activities that occurs when people link travel with the products, services, and experiences of agriculture. Agri-tourism is conducted for the enjoyment or education of the public and primarily promotes the sale, marketing, production, harvesting, or use of the products of the farm operation. Examples of agri-tourism include, but are not limited to, hayrides, food

trucks, music, farm winery or cidery pursuant to Section 76-A of the New York State Alcoholic Beverage Control Law, farm tours and events, designed to support farm operations.

Amend the Town of Orangetown Table of General Use Requirements for the R-80 Zone District, by inserting under Column 3 - Uses by Special Permit - Town Board, after item Number 6, the following text:

7. Agricultural operations and agri-tourism as defined in Article XI, Chapter 43 of the Town Code.

Amend the Town of Orangetown Table of General Use Regulations for R-80, Column 6, Minimum Required Off Street Parking Spaces by inserting after item number 16, the following:

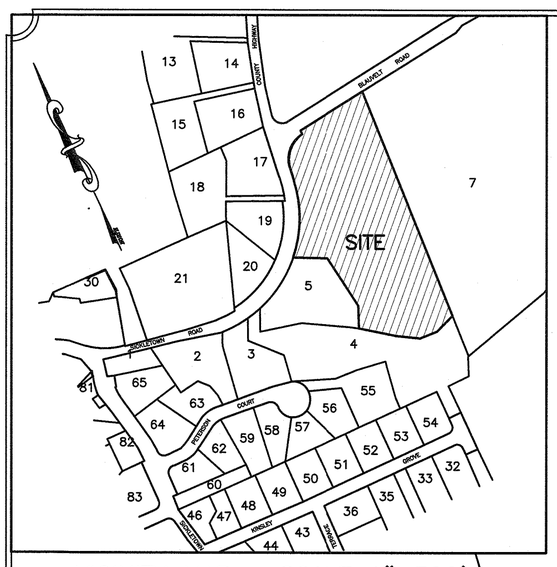
	Use	**At least 1 Parking Space for each**
17)	Agricultural and agri-tourism property with a minimum of five (5) acres.	400 square feet of GFA

Section 3. When effective.

This local law shall take effect immediately upon filing with the Secretary of State

REFERENCES

1. BEING LOT #2 AS SHOWN ON "MINOR SUBDIVISION FOR VAN HOUTEN'S FARM" FILED IN THE ROCKLAND COUNTY CLERKS OFFICE AS MAP #6395.
2. "SURVEY MAP FOR JAMES B. VAN HOUTEN" BY ROBERT R. RAHNEFELD, PLS,PC LAST DATED 7/12/1990

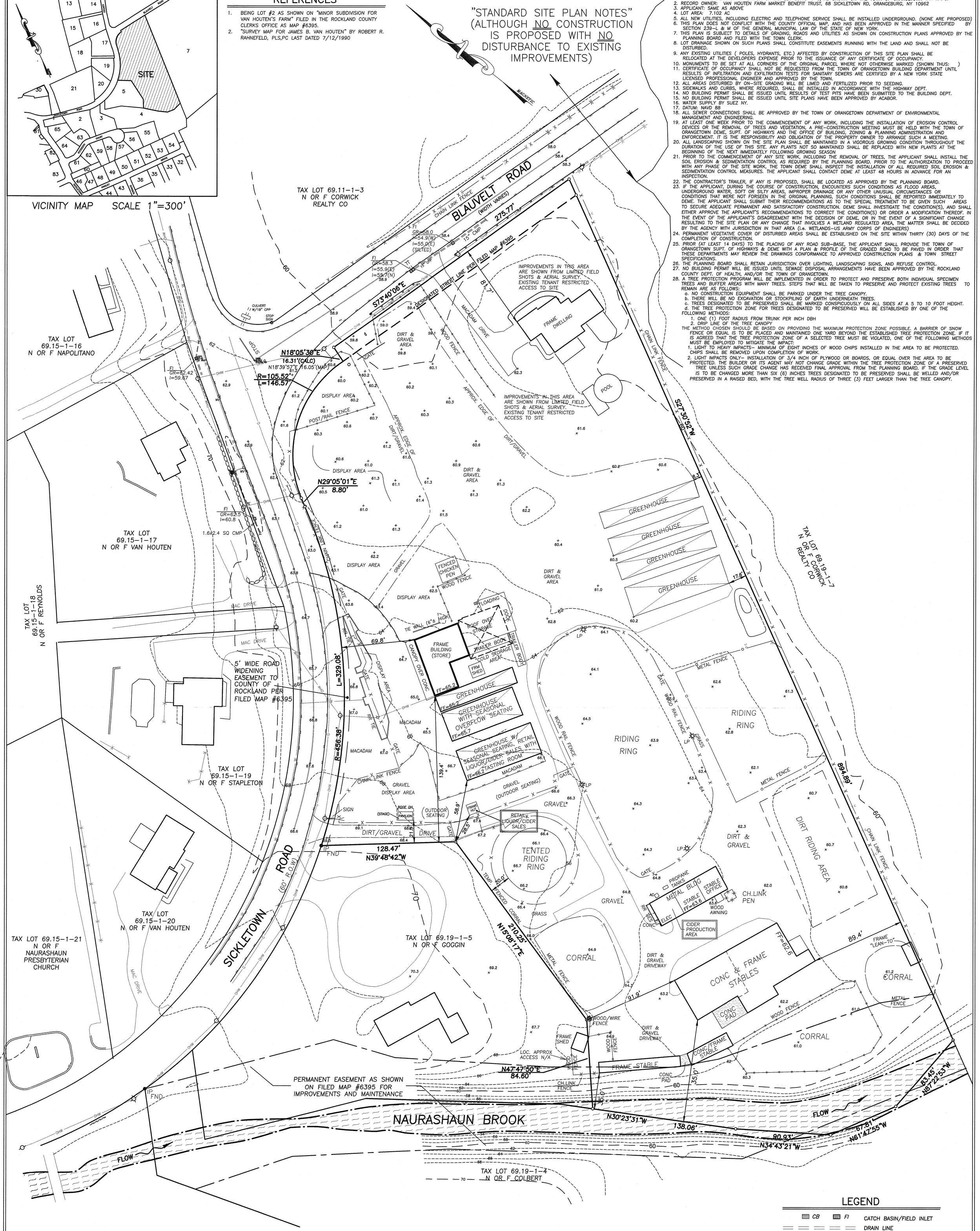


VICINITY MAP SCALE 1"=300'

"STANDARD SITE PLAN NOTES" (ALTHOUGH NO CONSTRUCTION IS PROPOSED WITH NO DISTURBANCE TO EXISTING IMPROVEMENTS)

NOTES:
1. THIS IS A SITE PLAN OF A PORTION OF TAX LOT 69.19–1–6, AS SHOWN ON THE TOWN OF ORANGETOWN TAX MAPS.
2. RECORD OWNER: VAN HOUTEN FARM MARKET BENEFIT TRUST, 68 SICKLETOWN RD, ORANGEBURG, NY 10962
3. APPLICANT: SAME AS ABOVE
4. LOT AREA: 7.102 AC
5. ALL NEW UTILITIES, INCLUDING ELECTRIC AND TELEPHONE SERVICE SHALL BE INSTALLED UNDERGROUND. (NONE ARE PROPOSED)
6. THIS PLAN DOES NOT CONFLICT WITH THE COUNTY OFFICIAL MAP, AND HAS BEEN APPROVED IN THE MANNER SPECIFIED BY SECTION 239–L & M OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK.
7. THIS PLAN IS SUBJECT TO DETAILS OF GRADING, ROADS AND UTILITIES AS SHOWN ON CONSTRUCTION PLANS APPROVED BY THE PLANNING BOARD AND FILED WITH THE TOWN CLERK.
8. LOT DRAINAGE SHOWN ON SUCH PLANS SHALL CONSTITUTE EASEMENTS RUNNING WITH THE LAND AND SHALL NOT BE DISTURBED.
9. ANY EXISTING UTILITIES (POLES, HYDRANTS, ETC.) AFFECTED BY CONSTRUCTION OF THIS SITE PLAN SHALL BE RELOCATED AT THE DEVELOPERS EXPENSE PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY.
10. MONUMENTS TO BE SET AT ALL CORNERS OF THE ORIGINAL PARCEL WHERE NOT OTHERWISE MARKED (SHOWN THUS:)
11. CERTIFICATE OF OCCUPANCY SHALL NOT BE REQUESTED FROM THE TOWN OF ORANGETOWN BUILDING DEPARTMENT UNTIL RESULTS OF INFILTRATION AND EXFILTRATION TESTS FOR SANITARY SEWERS ARE CERTIFIED BY A NEW YORK STATE LICENSED PROFESSIONAL ENGINEER AND APPROVED BY THE TOWN.
12. ALL AREAS DISTURBED BY ON–SITE GRADING WILL BE LIMED AND FERTILIZED PRIOR TO SEEDING.
13. SIDEWALKS AND CURBS, WHERE REQUIRED, SHALL BE INSTALLED IN ACCORDANCE WITH THE HIGHWAY DEPT.
14. NO BUILDING PERMIT SHALL BE ISSUED UNTIL RESULTS OF TEST PITS HAVE BEEN SUBMITTED TO THE BUILDING DEPT.
15. NO BUILDING PERMIT SHALL BE ISSUED UNTIL SITE PLANS HAVE BEEN APPROVED BY ACABOR.
16. WATER SUPPLY BY SUEZ NY.
17. DATUM: NAVD 88
18. ALL SEWER CONNECTIONS SHALL BE APPROVED BY THE TOWN OF ORANGETOWN DEPARTMENT OF ENVIRONMENTAL MANAGEMENT AND ENGINEERING.
19. AT LEAST ONE WEEK PRIOR TO THE COMMENCEMENT OF ANY WORK, INCLUDING THE INSTALLATION OF EROSION CONTROL DEVICES OR THE REMOVAL OF TREES AND VEGETATION, A PRE–CONSTRUCTION MEETING MUST BE HELD WITH THE TOWN OF ORANGETOWN DEME, SUPT. OF HIGHWAYS AND THE OFFICE OF BUILDING, ZONING & PLANNING ADMINISTRATION AND ENFORCEMENT. IT IS THE RESPONSIBILITY AND OBLIGATION OF THE PROPERTY OWNER TO ARRANGE SUCH A MEETING.
20. ALL LANDSCAPING SHOWN ON THE SITE PLAN SHALL BE MAINTAINED IN A VIGOROUS GROWING CONDITION THROUGHOUT THE DURATION OF THE USE OF THIS SITE. ANY PLANTS NOT SO MAINTAINED SHALL BE REPLACED WITH NEW PLANTS AT THE BEGINNING OF THE NEXT IMMEDIATELY FOLLOWING GROWING SEASON
21. PRIOR TO THE COMMENCEMENT OF ANY SITE WORK, INCLUDING THE REMOVAL OF TREES, THE APPLICANT SHALL INSTALL THE SOIL EROSION & SEDIMENTATION CONTROL AS REQUIRED BY THE PLANNING BOARD. PRIOR TO THE AUTHORIZATION TO PROCEED WITH ANY PHASE OF THE SITE WORK, THE TOWN DEME SHALL INSPECT THE INSTALLATION OF ALL REQUIRED SOIL EROSION & SEDIMENTATION CONTROL MEASURES. THE APPLICANT SHALL CONTACT DEME AT LEAST 48 HOURS IN ADVANCE FOR AN INSPECTION.
22. THE CONTRACTOR'S TRAILER, IF ANY IS PROPOSED, SHALL BE LOCATED AS APPROVED BY THE PLANNING BOARD.
23. IF THE APPLICANT, DURING THE COURSE OF CONSTRUCTION, ENCOUNTERS SUCH CONDITIONS AS FLOOD AREAS, UNDERGROUND WATER, SOFT OR SILTY AREAS, IMPROPER DRAINAGE OR ANY OTHER UNUSUAL CIRCUMSTANCES OR CONDITIONS THAT WERE NOT FORSEEN IN THE ORIGINAL PLANNING, SUCH CONDITIONS SHALL BE REPORTED IMMEDIATELY TO DEME. THE APPLICANT SHALL SUBMIT THEIR RECOMMENDATIONS AS TO THE SPECIAL TREATMENT TO BE GIVEN SUCH AREAS TO SECURE ADEQUATE PERMANENT AND SATISFACTORY CONSTRUCTION. DEME SHALL INVESTIGATE THE CONDITION(S), AND SHALL EITHER APPROVE THE APPLICANT'S RECOMMENDATIONS TO CORRECT THE CONDITION(S) OR ORDER A MODIFICATION THEREOF. IN THE EVENT OF THE APPLICANT'S DISAGREEMENT WITH THE DECISION OF DEME, OR IN THE EVENT OF A SIGNIFICANT CHANGE RESULTING TO THE SITE PLAN OR ANY CHANGE THAT INVOLVES A WETLAND REGULATED AREA, THE MATTER SHALL BE DECIDED BY THE AGENCY WITH JURISDICTION IN THAT AREA (i.e. WETLANDS–US ARMY CORPS OF ENGINEERS)
24. PERMANENT VEGETATIVE COVER OF DISTURBED AREAS SHALL BE ESTABLISHED ON THE SITE WITHIN THIRTY (30) DAYS OF THE COMPLETION OF CONSTRUCTION.
25. PRIOR (AT LEAST 14 DAYS) TO THE PLACING OF ANY ROAD SUB–BASE, THE APPLICANT SHALL PROVIDE THE TOWN OF ORANGETOWN SUPT. OF HIGHWAYS & DEME WITH A PLAN & PROFILE OF THE GRADED ROAD TO BE PAVED IN ORDER THAT THESE DEPARTMENTS MAY REVIEW THE DRAWINGS CONFORMANCE TO APPROVED CONSTRUCTION PLANS & TOWN STREET SPECIFICATIONS.
26. THE PLANNING BOARD SHALL RETAIN JURISDICTION OVER LIGHTING, LANDSCAPING SIGNS, AND REFUSE CONTROL.
27. NO BUILDING PERMIT WILL BE ISSUED UNTIL SEWAGE DISPOSAL ARRANGEMENTS HAVE BEEN APPROVED BY THE ROCKLAND COUNTY DEPT. OF HEALTH, AND/OR THE TOWN OF ORANGETOWN.
28. A TREE PROTECTION PROGRAM WILL BE IMPLEMENTED IN ORDER TO PROTECT AND PRESERVE BOTH INDIVIDUAL SPECIMEN TREES AND BUFFER AREAS WITH MANY TREES. STEPS THAT WILL BE TAKEN TO PRESERVE AND PROTECT EXISTING TREES TO REMAIN ARE AS FOLLOWS:
    a. NO CONSTRUCTION EQUIPMENT SHALL BE PARKED UNDER THE TREE CANOPY.
    b. THERE WILL BE NO EXCAVATION OR STOCKPILING OF EARTH UNDERNEATH TREES.
    c. TREES DESIGNATED TO BE PRESERVED SHALL BE MARKED CONSPICUOUSLY ON ALL SIDES AT A 5 TO 10 FOOT HEIGHT.
    d. THE TREE PROTECTION ZONE FOR TREES DESIGNATED TO BE PRESERVED WILL BE ESTABLISHED BY ONE OF THE FOLLOWING METHODS:
        1. ONE (1) FOOT RADIUS FROM TRUNK PER INCH DBH
        2. DRIP LINE OF THE TREE CANOPY

    THE METHOD CHOSEN SHOULD BE BASED ON PROVIDING THE MAXIMUM PROTECTION ZONE POSSIBLE. A BARRIER OF SNOW FENCE OR EQUAL IS TO BE PLACED AND MAINTAINED ONE YARD BEYOND THE ESTABLISHED TREE PROTECTION ZONE. IF IT IS AGREED THAT THE TREE PROTECTION ZONE OF A SELECTED TREE MUST BE VIOLATED, ONE OF THE FOLLOWING METHODS MUST BE EMPLOYED TO MITIGATE THE IMPACT:
    1. LIGHT TO HEAVY IMPACTS– MINIMUM OF EIGHT INCHES OF WOOD CHIPS INSTALLED IN THE AREA TO BE PROTECTED. CHIPS SHALL BE REMOVED UPON COMPLETION OF WORK.
    2. LIGHT IMPACTS ONLY– INSTALLATION OF 3/4 INCH OF PLYWOOD OR BOARDS, OR EQUAL OVER THE AREA TO BE PROTECTED. THE BUILDER OR ITS AGENT MAY NOT CHANGE GRADE WITHIN THE TREE PROTECTION ZONE OF A PRESERVED TREE UNLESS SUCH GRADE CHANGE HAS RECEIVED FINAL APPROVAL FROM THE PLANNING BOARD. IF THE GRADE LEVEL IS TO BE CHANGED MORE THAN SIX (6) INCHES TREES DESIGNATED TO BE PRESERVED SHALL BE WELLED AND/OR PRESERVED IN A RAISED BED, WITH THE TREE WELL RADIUS OF THREE (3) FEET LARGER THAN THE TREE CANOPY.



LEGEND

- CB / FI — CATCH BASIN/FIELD INLET
- DRAIN LINE
- SMH — SANITARY MANHOLE / PIPE
- EDGE OF PAVEMENT
- CONCRETE CURB
- GAS LINE
- WATER LINE
- UTILITY POLE W/ OVERHEAD WIRES
- OHW — UE — OVERHEAD/UNDERGROUND ELECTRIC
- LIGHT POLE

PLANNING BOARD MEETING OF: DEC 08 2021 Town Of Orangetown

ZONING – ZONE R–40

	REQUIRED USE GROUP "E"	REQUIRED USE GROUP "H"	EXISTING
MINIMUM LOT AREA	40,000 SF	80,000 SF	7.1 ACRES
MINIMUM LOT WIDTH	150'	300'	500'±
MIN STREET FRONTAGE	100'	150'	750'+
MIN FRONT YARD	50'	100'	NO CHANGE TO EXISTING CONDITIONS
MIN SIDE YARD	30'	100'	
TOTAL SIDE YARD	80'	200'	
MIN REAR YARD	50'	100'	
MAX BLDG HEIGHT	8"/FT	3"/FT	
MAX. FAR	0.15	0.15	0.104

EXISTING VARIANCES

1. VARIANCES CONCERNING PENNED OR HOUSED ANIMALS: Section 3:11, R–40 (R–80) Column 4, Item 5 were granted per decision #88–18; April 20, 1988
2. VARIANCES FOR TWO EXTERNAL TRAILERS, OUTDOOR LOADING BERTH: Section 7.34, extension of Non–Conforming Use granted per decision #88–111; Dec. 7, 1988
3. VARIANCES FOR 60' DIA. TENTED RIDING RING (SIDE YARD OF 15'± AND HEIGHT OF 26' 8 1/2") ZBA #12–49, 7/25/2012.

DATE	REVISIONS

DESIGNED JAG
DRAWN LDW
CHECKED JAG
APPROVED JAG

STATE OF NEW YORK JAY A. GREENWELL LICENSED LAND SURVEYOR No. 49676

JAY A. GREENWELL, PLS
NYS LIC. # 49676

SITE PLAN FOR
ROCKLAND CIDERY
68 SICKLETOWN ROAD
TOWN OF ORANGETOWN
ROCKLAND COUNTY, NEW YORK

JAY A. GREENWELL, PLS, LLC
LAND SURVEYING – LAND PLANNING
85 LAFAYETTE AVENUE, SUFFERN, NEW YORK, 10901
PHONE 845–357–0830 FAX 845–357–0756

TAX LOT #	69.19–1–6
AREA	309,344 SF 7.102 AC
FILE	21205TOPO
SCALE	1"=40'
DATE	08/19/21
JOB NO.	21205

Rockland Cider Works

Business Plan

Retail Hours of Operation; Mon-Sat. 9am-7pm, Sunday 9am-6pm

Tasting Bar/Tap Room Hours of Operation; Mon-Sat 12pm-9pm, Sun 12pm-8pm

Live Music; Thursday/Friday evenings, solo/acoustic 4-8p, Sat/Sun live music 2-6pm

Food Trucks; in back parking lot and/or inside gates near nursery (not at front entrance/parking lot) 1-2 trucks on Friday/Saturday/Sunday. Electric plug in or quiet operation generators only. Food trucks close 30 minutes prior to cidery close.

Fire Pits; SoloStoves with safety grid/**covers**; Thursday, Friday, Saturday, Sunday evenings, when space allows (not year-round). Mostly in winter. 4 fire pits, not to exceed 8 ppl per fire pit

Parking: Current back parking lot holds 85 cars. Front parking lot holds 15 cars (continuing rental/negotiation with Naurashaun Church for "overflow parking use")

Cidery area max capacity 350 people

Seasonal;

January through March; mainly seating inside greenhouse (holds 8 tables only) and 4 fire pits outside.

April through June – limited outside seating only, weather permitting (the nursery uses most of the space in spring).

June through August - slowest season for farm/garden center and slow season for cidery because it is hot and people travel, go to the beach, etc. Outdoor seating in cider/bier garden with table umbrellas. Occasional live music on the weekend.

September through October – live music Thursday, Friday evenings, Saturday, and Sunday afternoons. Seating in greenhouse and outdoors

October through December; fire pits Thurs, Fri, Sat, Sun evenings.

November and December; live music, weather permitting, midday – especially Christmas type music in December during the day when we are selling Christmas Trees. Greenhouse and limited outside seating, weather permitting.

TOWN OF ORANGETOWN

PROPOSED LOCAL LAW # ___ - 2023

A LOCAL LAW TO AMEND CHAPTER 43 OF THE TOWN CODE ENTITLED ZONING TO PROVIDE FOR A USE BY SPECIAL PERMIT ISSUED BY THE TOWN BOARD OF AGRITOURISM, FARM WINERY AND FARM CIDERY

Be it enacted by the Town Board of the Town of Orangetown as follows: The Code of the Town of Orangetown, Chapter 43 shall be amended to incorporate revisions as described:

Section 1. Title

A Local Law to amend the General requirements for the R-80 Zoning District, and R-40 as applicable, in Chapter 43 (Zoning) of the Town Code of the Town of Orangetown.

Section 2. Legislative Intent.

The Town Board recognizes the importance of allowing for the sale of locally grown and New York produced agricultural products and as such seeks to allow this use as a legitimate zoning objective in the Town of Orangetown. The mechanism for achieving this balance is to permit a modification in the Town's use and bulk requirements in the R-80 Zone District. If an applicant meets the requirements below, the Town Board shall grant a special use permit, with reasonable conditions, allowing agricultural retail sales and cider production uses to be developed and operated on qualified sites in residential districts. The special use permit would remain in effect and run with the land until such time the use of the land changes or unless the permit was revoked for non-compliance of the conditions imposed during site plan approval.

Section 3. §11.2 (Definitions), of Article XI (Definitions and Word Usage), of Chapter 43 (Zoning), of the Code of the Town of Orangetown, is amended to the extent only of adding new definitions, which new definitions shall read as follows:

AGRI-TOURISM

As defined in Chapter 69, Article 25-AA, §301 of the New York Agriculture and Markets Law, means activities, including the production of maple sap and pure maple products made therefrom, conducted by a farmer on-farm for the enjoyment and/or education of the public, which primarily promote the sale, marketing, production, harvesting or use of the products of farms and enhance the public's understanding and awareness of farming and farm life.

FARM WINERY AND FARM CIDERY

As defined by New York State Law Chapter 3-B, Article 6 § 76-a (Farm Winery License) and Article 4-A, §58-C (Farm Cidery License) of the New York State Alcoholic Beverage Control law as may be amended a farm winery or farm cidery is characterized by the conversion of fruit

and other edible products grown on the premises or in the state of New York, into wine or cider for sale in the wholesale market and to the public for on-site or off-site consumption at a duly licensed location as authorized by permit of the New York State Liquor Authority.

FOOD TRUCK

Mobile trucks designed and maintained for the retail sales of food that is normally purchased and consumed on a to-go or on-site basis, as permitted and licensed under state and local health regulations.

AGRI-TOURISM ENTERTAINMENT

Those activities not related to the regular production of food a farm, but provided as way to entertain and educate visitors on the premises about farm life, such as music and hay rides.

<u>Section 4.</u> §4.3 (Special permit uses; special findings and additional requirements and conditions for certain uses), of Article IV (Additional Use Regulations), of Chapter 43 (Zoning), of the Code of the Town of Orangetown, is amended to the extent only of adding a new subsection to be enumerated §4.32.(R) and entitled "Agri-tourism," which new §4.32.(R) shall read as follows:

4.32.(R). Agri-Tourism, Agri-tourism Entertainment, Farm Cidery/Winery.

i. Such uses, shall be permitted by special permit of the Town Board on lots of five (5) acres or more, in residential districts, as part of an otherwise permitted commercial agricultural operation, but only after due consideration of the underlying zoning district and surrounding uses. The Town Board shall be authorized to exclude uses from the list below if the Board finds that it is necessary to protect the surrounding neighborhood or the welfare of the public, and such reasons for exclusion for such use shall be documented in the resolution of approval of the special use permit. It shall be a condition of approval that the operator have obtained or shall be required to obtain the appropriate license from the State of New York to operate as a Farm Winery or Farm Cidery.

   a. Agri-tourism, as defined in Article XI;
   b. Farm Cideries or Farm Wineries as defined in Article XI;
   c. Agri-tourism Entertainment as defined in Article XI;

ii. Hours of Operation. The Town Board finds that it is in the interest to control those uses that create noise or attract the general public in association with the proposed uses above, and when proposed by the applicant shall only occur within the permitted time period:

   a) Farm Cideries/Farm Wineries, for on-site consumption; Agri-tourism Entertainment:

Thursday: 3:00 p.m. to 6:00 p.m.
Friday: 3:00 p.m. to 8:00 p.m.
Saturday: 12:00 p.m. to 8:00 p.m.
Sunday: 12:00 p.m. to 6:00 p.m.
Any Federal holiday that occurs on a Monday: 12:00 p.m. to 7:00 p.m.

b) Retail Sales

Monday to Saturday: 9:00 a.m. to 8:00 p.m.
Sunday: 9:00 a.m. to 6:00 p.m.

iii. Permitted general accessory uses. All accessory uses shall be identified and approved as part of the site plan and may include:

a. Accessory buildings and seasonal temporary structures for the use of patrons.

b. Storage for on-site equipment and material used as part of the business operations.

iv. Site Plan Required

Application for the special permit shall be made to the Town Board in accordance with applicable provisions of §10.5 of this chapter. A petition for a special use permit shall be in a form sufficient to enable the Town of Orangetown to evaluate the applicant's proposal and its consistency with the intent, purposes and general design standards expressed herein. The petition for a special use permit shall also be accompanied by the following:

a. A written description of the proposed special use.

b. A concept plan including all the items listed below:

(1) The disposition of various land uses and the areas covered by each, in acres, including proposed parking, temporary and permanent structures

(2) A sketch of any and all existing and proposed rights-of-way and easements, whether public or private

(3) Delineation of any residences within 200 feet of the proposed special use.

(4) Physical characteristics of the site, including topography, areas of slope in excess of 15%, soils, rock outcrops, streams, wetlands, lakes, ponds and floodplains and all proposed alterations of said physical characteristics.

(5) Estimates of peak-hour traffic generation derived from recognized traffic engineering source material or actual field counts, and its relation to surrounding development, including surrounding roads and intersections,

including methods developed for mitigating any demonstrated adverse traffic impacts.

c. The Town Board may retain professional consultants as deemed necessary in order to review any proposed concept plans, with funding for said consultants provided by the applicant for the development through the establishment of an escrow account. The amount of said escrow shall be determined by the Town Board in consultation with the applicant.

d. Concurrent site plan review. An applicant may submit a detailed site plan subject to site plan review procedures for the Town of Orangetown by the Planning Board review of said plans and related documentation. Approval of a site plan may not however, occur until the special use permit has been approved by the Town Board.

e. If the Director of OBZPAE determines that the proposed site plan may substantially deviate from the final concept plan or layout presented to and reviewed by the Town Board as part of the issuance of a special use permit, the Director may refer matter to the Town Board, prior to any preliminary approval issued by the Planning Board, to make the ultimate determination as to whether or not the proposed site plan substantially deviates from the plan reviewed by the Town Board.

f. The term "substantially deviate," as used herein, shall mean that the site development plan presented to the Planning Board for preliminary approval differs in a material manner from the final concept plan reviewed by the Town Board, and upon which the Town Board approved the special use, and that that material change or deviation that may have been made to the concept plan, in the Town Board's sole judgment and discretion, is not consistent with the goals sought to be achieved by the granting of the special use permit. The decision of the Town Board that the site development plan proposed for approval by the Planning Board substantially deviates shall require a majority vote of the Town Board plus one.

g. A special permit issued under this section shall be authorized for a period of up to three (3) years from the date of the decision of the Town Board issuing such permit. Such time period shall be set by the Town Board. The special permit may thereafter be renewed for a period of up to an additional three (3) years by the Town Board. The applicant shall apply to the Town Board for any such renewal. There is no limit to the amount of renewals that may be granted. No additional site development plan review shall be required unless there are changes to the conditions at the property that would necessitate an amendment to the plan.

v. Parking.

a. Required off-street parking spaces. Accessory off-street parking spaces, open or enclosed shall be provided and subject to Planning Board review and approval. Dimensions shall be in accordance with Article VI. Off Street Parking, 6.33 - 6.35.

b. All on-site parking shall be set back at least 50 feet from the property lines of neighboring residential lots and shall be separated from said residentially developed property by an opaque or semi-opaque barrier consisting of a wall, slatted fence, and/or evergreen planting sufficient to screen such residentially developed property in Planning Board's discretion as a part of site plan review,, provided that such barrier shall not be required where the actual setback is greater than 200 feet.

vi. Parking Requirements:

a. There shall be at least one space per employee, and 1 space per 2.5 guests at permitted full capacity.

b. The Planning Board may permit as part of site plan approval a gravel or non-paved parking area, with exception of handicapped parking spaces which shall be paved and constructed in accordance with Article VI, Off-Street Parking.

vii. Additional regulations.

a. During Special Events, a maximum of two (2) Food trucks shall be permitted on site in an area that has been designated on the site plan, and provided with appropriate hook ups, within the following prescribed time periods:

Saturday: 2:00 p.m. to 7:00 p.m.
Sunday: 2:00 p.m. to 5:00 p.m.
Any Federal Holiday that occurs on a Monday 2:00 p.m. to 5:00 p.m.

b. No gasoline powered generators shall be used by food trucks. Food trucks shall only be powered by electric plug-in.

c. Food provided outside the food truck shall be prepackaged food and provided for guests in accordance with the Farm Cidery/Winery License. No commercial kitchen or restaurant service shall be permitted.

d. Noise generated by all uses shall be in compliance with Chapter 22 Noise, of the Town Code. In any case, no live or amplified music shall be permitted. except as part of a Special Event Permit.

e. Fire pits shall be subject to applicable regulations and approval by the fire inspector.

f. The applicant shall submit a copy of the liquor license obtained for the Farm Winery or Farm Cidery business, and a copy of any reports required to demonstrate compliance with such license.

g. Except for what is necessary for safety and security, notwithstanding subsection l below, exterior lighting related to the operations shall be turned off between the hours

of 9:00 p.m. and 6:00 a.m., subject to review by the Planning Board of adequate lighting for security after hours.

h. Notwithstanding anything to the contrary contained elsewhere in the Town Code, the following setbacks shall apply to structures authorized as part of any Special Permit issued pursuant to this section:

1) all permanent principal or accessory buildings shall be set back at least 35 feet from any lot line.

2) all outdoor dining areas, such as decks or patios shall be set back at least 35 feet from any lot line and shall be adequately screened with vegetation or other form acceptable to the Planning Board from adjoining residentially developed tax lots.

3) all temporary facilities, such as tents, dance floors, sound systems, or location of live entertainment, shall be set back at least 35 feet from lot line, and shall be adequately screened with vegetation or other form acceptable to the Planning Board from adjoining residentially developed tax lots.

i. All on-site lighting shall be shielded from residentially developed property. Outdoor moving or flashing lighting, including but not limited to spotlights, floodlights (other than safety lighting), searchlights, or strobe lights is not permitted at any time.

j. Seasonal decorative lighting displays shall be permitted, provided that all such seasonal decorative lighting shall be located a minimum distance of 50 feet from the property lines of all residentially developed properties, shall not contain or include any bulbs, lamps, or light sources with an individual light output in excess of the equivalent of a one-hundred-watt incandescent bulb or 1800 lumens, and shall be extinguished no later than midnight.

Capacity: Taking in consideration of the potential lot size and number of residences that could be affected by noise and traffic generated by guests and to insure that surrounding residential uses in the R-40 and R-80 districts are not unduly disturbed, the maximum capacity of guests, exclusive of other uses on site, for the Farm Cidery or Farm Winery Use authorized by this special permit in the R-40 Residential district shall be 150 and the R-80 Residential district shall by 225, provided that the applicant can demonstrate to the Planning Board that sufficient parking is available on site. In the case that multiple uses exist on site, the applicant shall provide a breakdown of such uses and maximum parking needs for each use and employees to demonstrate that sufficient parking is available on site for all uses. If seasonal uses affect the layout of the site, the applicant shall demonstrate how parking is achieved during those seasons.

viii. Special Events.

a. Special Events for Agri-tourism or Agricultural Entertainment Uses. Subject to Town Board approval, and upon written application certain of the above-referenced regulations and restrictions may be expanded or loosened, at the discretion of the Town Board, to accommodate on-site, one-day special events. No more than 18 (eighteen) Special Event Permits per year may be issued and no more than two permits shall be permitted per calendar month. The following shall also apply to Special Event Permits:

i. Special event permits for Agri-tourism or agricultural entertainment may be referred by the Town Board to the Planning Board, in its discretion, for consideration of any special temporary site plan changes required with such permit(s).

ii. Special events may be approved by the Town Board if the applicant has provided information about the proposed dates for such event(s), duration and type of the event, and such permit applications(s) shall be subject to a public hearing.

iii. The Town Board may impose conditions that it deems necessary, in its discretion, in order to ensure the public health, safety and welfare of the community.

iv. The applicant may apply for more than one Special Permit Event Permit at the same time as part of the same application, and the Town Board shall indicate as part of its approval, if any, alternate dates that may be permitted under a Special Event Permit, without the necessity of the applicant returning to the Board. In the event a Special Permit Event is issued and the applicant seeks to re-schedule the event to a different date, the Board may amend the Special Permit upon a written request submitted to the Town Board, which request may either be approved or denied, by Town Board resolution.

v. The Town Board may revoke a previously issued Special Event Permit or multiple such Permits, if it finds that the operation of any of the uses permitted herein, and/or special event at the property, violates any of the provisions of this article, or of the conditions of any Special Event Permit, or otherwise operates in a manner that causes a disturbance. Such revocation may occur only after a hearing before the Town Board at which the applicant shall have an opportunity to be heard.

Section 5. §3.11 (Use Table) of Article III (Use and Bulk Tables) of Chapter 43 (Zoning), of the Code of the Town of Orangetown, is amended as follows:

1). Table of General Use Regulations, R-80 District, Column 3, "Uses by Special Permit" is amended by adding the following as a Use by Special Permit of the Town Board:

7. Agri-Tourism, Agri-tourism Entertainment, Farm Cidery/Winery on lots of 5 acres or more.

2). Table of General Use Regulations, R-22 District, Column 3, "Uses by Special Permit" is amended by adding the following as exception to a Use by Special Permit of the Town Board:

1. Same as R-80, except airports and Agri-Tourism, Agri-tourism Entertainment, Farm Cidery/Winery on lots of 5 acres or more.

Section 6. Severability

If any part or provision of this Local Law, or the application thereof to any person or circumstance, is adjudged invalid or unconstitutional by a court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law, or the application thereof to other persons or circumstances. The Town Board of the Town of Orangetown hereby declares that it would have enacted the remainder of this Local Law even without any such invalid or unconstitutional part, provision or application.

Section 7. When effective.

This local law shall take effect immediately upon filing with the Secretary of State.

TOWN OF ORANGETOWN
ALCOHOLOC BEVERAGE PERMIT AGREEMENT

By requesting and accepting permission from the Town of Orangetown to dispense alcoholic beverages on Town property in accordance with Town Code §10-4(B), in addition to any other obligation undertaken and assumed by the Applicant/Permittee as part of the application, or otherwise under the law, the Applicant further agrees:

INSURANCE:
The Permittee shall procure and maintain throughout the period of the Permit insurance coverage, naming the Town of Orangetown, its officers, employees and agents as additional insured thereon, in the following amounts:

- General Liability Insurance in a minimum amount of One Million Dollars ($1,000,000.00) per individual and Two Million Dollars ($2,000,000.00) per occurrence for bodily injury, including death;

INDEMNIFICATION:
The Applicant/Permittee further agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Town of Orangetown, its officers, employees, and agents, against all claims, suits, actions, liabilities, losses, costs, damages or expenses and costs of every description including reasonable attorney's fees and other costs expenses of litigation arising out of, or directly or indirectly due to, wholly or in part, any act or omission of Applicant/Permittee and/or the Applicant/Permittee's invitees, agents and/ except to the extent caused by the negligence and/or willful misconduct of the Town of Orangetown.

The Permittee's obligations under this section shall not be deemed waived, limited or discharged by the procurement or enumeration of any insurance for liability for damages. The termination of this Permit for any reason shall not release Permittee from its obligations under this section.

ENTITY INFORMATION:
If the Applicant/Permittee is not an individual, the Applicant/Permittee is required to provide proof that the entity is an entity organized and operating under the laws of the State of New York, or another state, and shall provide a Certificate of Good Standing or other such proof satisfactory to the Town that the entity is in good standing at the time of application.

COMPLIANCE WITH STATE LIQUOR AUTHORITY:
The applicant agrees that it will abide by any and all regulations of the New York State Liquor Authority (SLA), including requiring any persons or entities dispensing alcoholic beverages pursuant to this request to have appropriate licenses from the SLA for such purpose, and ensuring they shall abide by all rules and conditions of the SLA with respect to said license and dispensing alcoholic beverages outside of regular establishments.

GOVERNING LAW:
The Applicant/Permittee agrees that in the event of any of any claim, cause of action, lawsuit, loss or any legal action arising out of the activities of the Applicant/Permittee regarding activities related to the issuance of this permit in which the Town is a party or which the Town seeks to name the Applicant/Permittee as a party shall be subject to and conclusively resolved in accordance with the laws of the State of New York, and without giving effect to the conflict of laws provisions thereof. Venue for the resolution of any such dispute shall be the Supreme Court of the State of New York, Rockland County and by signing below, the Applicant/Permittee consents to jurisdiction thereof.

By signing below, the undersigned represents that he/she has the authority to bind the Applicant/Permittee to the terms of the Application and binds the applicant hereto.

APPLICANT/PERMITTEE:

Organization/Entity/Individual Name: Pearl River Board of Trade

State/Date of Incorporation (If Applicable): NY 1958

Proof of Good Standing provided: Yes ✓ No ____

Signature of Responsible Officer

Michael O'Sullivan Secretary/Event Chair
(Print Name and Position)

STATE OF NEW YORK)

ss:

COUNTY OF ROCKLAND)

On the 10th day of August, 2023, before me, the undersigned a Notary Public in and for said state, personally appeared Michael O'Sullivan personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual or the person upon behalf of which individual acted, executed the instrument.

Notary Public

ALLISON B. KARDON
Notary Public, State of New York
No. 01KA6330552
Qualified in Rockland County
Commission Expires 09/14/2023

APPROVED:

Teresa M. Kenny, Town Supervisor
Town Board Resolution No. _____

STATE OF NEW YORK

DEPARTMENT OF STATE

Certificate of Status

I, ROBERT J. RODRIGUEZ, Secretary of State of the State of New York and custodian of the records required by law to be filed in my office, do hereby certify that upon a diligent examination of the records of the Department of State, as of the date and time of this certificate, the following entity information is reflected:

Entity Name:	PEARL RIVER BOARD OF TRADE, INC.
DOS ID Number:	90177
Entity Type:	DOMESTIC NOT-FOR-PROFIT CORPORATION
Entity Status:	EXISTING
Date of Initial Filing with DOS:	12/10/1954

No information is available from this office regarding the financial condition, business activity or practices of this entity.

WITNESS my hand and official seal of the Department of State, at the City of Albany, on September 08, 2023 at 10:53 A.M.

ROBERT J. RODRIGUEZ, Secretary of State

By Brendan C. Hughes
Executive Deputy Secretary of State

Authentication Number: 100004274608 To Verify the authenticity of this document you may access the Division of Corporation's Document Authentication Website at http://ecorp.dos.ny.gov

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code

COPY REQUEST/CERTIFICATE OF STATUS RECEIPT

RAYMOND SHERIDAN
PEARL RIVER BOARD OF TRADE, INC.
P.O. BOX 829
PEARL RIVER NY 10965

DATE: 09/08/2023 **TRANSACTION NUMBER:** 202309080001142

ENTITY INFORMATION:

ENTITY NAME:	PEARL RIVER BOARD OF TRADE, INC.
DOS ID:	90177
DATE OF INITIAL DOS FILING:	12/10/1954

REQUESTED SERVICES:	**NUMBER REQUESTED:**	**FEE:**
UNCERTIFIED COPY($5.00)		$0.00
CERTIFIED COPY($10.00)		$0.00
CERTIFICATE OF STATUS - SHORT FORM($25.00)	1	$25.00
CERTIFICATE OF STATUS - LONG FORM($25.00)		$0.00
EXPEDITED HANDLING		$25.00

TOTAL PAYMENTS RECEIVED:	$50.00
CASH:	$0.00
CHECK/MONEY ORDER:	$0.00
CREDIT CARD:	$50.00
DRAWDOWN ACCOUNT:	$0.00
REFUND DUE:	$0.00

REQUESTED COPY	**FILE DATE**	**FILE NUMBER**

DOS-1025 (04/2007)

Cf-3113201VM8AKKA
CF-30CQS80BM7GKYA57829
CF-30CWQAZBM7FKSA45329
CF-195HYAALM4IKYA95232
CF-31AWAAX2M0IKYA25573
CF-31AWAAX2M01KYA26230
CF-29NWQGZBM6GKSA47843R
CF-29HTM50BM5DKSA13358
CF-29NWQGZBM6DKSA26005R
CF-29LWQGZBM5KKSA78663
21168378470
21518627366
42097005542
35593450311
35606793927

TOWN ATTORNEY'S OFFICE **INTER-OFFICE MEMORANDUM**

DATE: September 15, 2023

TO: Rosanna Sfraga, Town Clerk (with originals)

cc: Town Board Members (w/o encl.)
Kimberly Allen, Administrative Secretary to the Supervisor (w/o encl.)
Ellie Fordham, Secretarial Assistant II, DEME (w/o encl.)

FROM: Dennis D. Michaels, Deputy Town Attorney

RE: Certificate of Plumbing Registration (Sewer Work) 2023

The following applicant is qualified, pursuant to the qualification certificate received from Eamon Reilly, Commissioner of the Department of Environmental Management and Engineering (original attached), and the bond and insurance certificates having been reviewed and approved (originals attached), from a legal standpoint, by the Office of the Town Attorney.

United Sewer & Drain Service Corp.
PO Box 123
Slate Hill, NY 10973
Tel.: 888-845-2564

This Certificate of Registration has been placed on the next Regular Town Board Meeting agenda scheduled for September 26, 2023.

Should you have any questions, please do not hesitate to contact this Office.

encl.

BOND

KNOW ALL MEN BY THESE PRESENTS, that, the undersigned, St. Dominic's Family Services, having an address at 500 Western Highway, Blauvelt, NY 10913 as Principal, (hereinafter the "Principal") and SDFS Sewage Works Corporation, having an address at 500 Western Highway, Blauvelt, NY 10913, as "Surety," are held and firmly bound unto the is held and firmly bound unto the TOWN OF ORANGETOWN, a municipal corporation organized and existing under and pursuant to the laws of the State of New York, having its office at Town Hall, 26 Orangeburg Road, Orangeburg, New York 10962, as Obligee (hereinafter the "Obligee") in the sum of Five Thousand and 00/100ths ($5,000.00) Dollars, good and lawful money of the United States of America, for the payment of which the Principal binds itself and its successors and/or assigns for the sole and exclusive benefit of the Obligee, firmly by these presents.

SIGNED, sealed and dated as of this _____ day of _____, 2023.

WHEREAS, the Planning Board of the Town of Orangetown (the "Planning Board") has heretofore approved a subdivision plan in PB# 23-26 for a proposed subdivision to be known as the "St. Dominic's Family Services Resubdivision Plan," in accordance with Article 16 of the Town Law of the State of New York and Chapter 21 of the Land Development Regulations of the Town of Orangetown; the site of which is located at 496 and 500 Western Highway, in the hamlet of Blauvelt, Town of Orangetown, County of Rockland, New York and shown on the Orangetown Tax Map as Section 74.06, Block 3, Lot 1.1 in a R-40 zoning district (hereinafter sometimes referred to as the "subdivision" or "subdivision plan"), and

WHEREAS, Planning Board approval of said project requires the formation of a Sewage-Works Corporation under Article 10 of the New York State Transportation Corporations Law, and

WHEREAS, under Article 10, Section 116 (1) of the New York State Transportation Corporations Law, the Town of Orangetown Town Board must consent to the formation of the Sewage-Works Corporation prior to the Corporation filing its certificate of incorporation, and

WHEREAS, under Article 10, Section 119 (1) of the New York State Transportation Corporations Law, the Town shall require the posting of a performance bond for the completion of the construction of the sewage-works system, and

WHEREAS, in compliance with Article 10, Section 119 (1) of the New York State Transportation Corporations Law, the Principal has posted simultaneous herewith the sum of Five Thousand and 00/100ths Dollars ($5,000.00) in U.S. Currency with the Town of Orangetown as collateral under this performance bond, which sums may be utilized by the Town of Orangetown in the event the Principal does not fulfill all or any one of its obligations required pursuant to this Performance Bond and the Planning Board approvals with respect to this matter,

NOW, THEREFORE, the condition of this Obligation is such that if the Principal shall well and truly, prior to the _____day of _____, 2023:

(a) Maintain the existing sanitary disposal facilities shown on the subdivision plan and/or required in connection with the development of the subdivision and/or the subdivision plan in accordance with the specifications of the New York State Department of Health, the Rockland County Health Department, and the Town of Orangetown, it being expressly understood that no new sanitary disposal facilities are being constructed and none are required; and

(b) Pay the cost of maintaining of the sanitary facilities.

THEN THIS OBLIGATION to be null and void upon, and only upon, the adoption of a formal Resolution by the Town Board of the Town of Orangetown releasing the Principal from its obligations hereunder; otherwise to remain in full force and effect.

IN WITNESS WHEREOF, the Principal has caused this Bond to be executed as of this day of , 2023.

_____
(Name)

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

On this _____ day of _____, in the year 2023, before me the undersigned, a notary public in and for said state, personally appeared , personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

DECLARATION OF CONSENT TO INCORPORATION OF WOODS ROAD SEWAGE WORKS CORPORATION

The undersigned, constituting a majority of the Town Board of the Town of Orangetown, Rockland County, New York, hereby consent to the incorporation of the St. Dominic's Family Services Sewage Works Corporation pursuant to Section 3 of the Transportation Corporations Law of the State of New York, for the purposes set forth in the annexed Certificate of Incorporation.

Dated: Orangeburg, New York
September 26, 2023

_____
Teresa M. Kenny
Supervisor

_____
Jerry Bottari
Town Board Member

_____
Thomas Diviny
Town Board Member

_____
Brian Donohue
Town Board member

_____
Paul Valentine
Town Board Member

CERTIFICATE OF INCORPORATION
OF
SDFS SEWAGE WORKS CORP.

Pursuant to Article 1, Section 3 of the New York State Transportation Corporations Law:

The undersigned, as authorized signatory of Sisters of St. Dominic of Blauvelt, owner of the Premises located at 496 and 500 Western Highway, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.06, Block 3, Lot 1.1, for the purpose of forming a corporation under the New York State Transportation Corporation Law, hereby certify:

FIRST: The name of the corporation is: SDFS Sewage Works Corp.

SECOND: The purpose for which the Corporation is formed is:

To provide a sewer system for the transfer of sewage, through privately owned pump stations and pipe lines to an existing Town collection facility.

To lay, maintain, repair and operate said pump stations, pipes, and conduits for this sewer system.

The Corporation, in furtherance of its purposes set forth above, shall have all the powers enumerated in Section 202 of the Business Corporation Law and Article 10 of the Transportation Corporation Law, subject to the limitations in said Laws and or any other statute of the State of New York.

THIRD: The county, within this state, in which the office of the corporation is to be located is: Rockland.

FOURTH: The corporation shall have authority to issue one class of shares consisting of 200 common shares without par value.

FIFTH: The Secretary of State is designated as agent of the corporation upon whom process against the corporation may be served. The address to which the Secretary of State shall mail a copy of any process accepted on behalf of the corporation is: SDFS Sewage Works Corp., c/o St. Dominic's Family Services, 500 Western Highway, Blauvelt, NY 10913.

SIXTH: The area to be supplied with sewer service by the Corporation is to be located within Rockland County.

SEVENTH: Annexed hereto is the consent of the Orangetown Town Board which is the local governing body of the Town of Orangetown, in which all parts of the sewer is to be located.

EIGHTH: The undersigned incorporator is of the age of eighteen or older.

IN WITNESS WHEREOF, this certificate has been signed on this _ day of ____ 2023, by the undersigned who affirms that the statements made herein are true under the penalties of perjury.

Sisters of St. Dominic of Blauvelt

By:_____
Sr. Michaela Connolly, Prioress/President

EMANUEL LAW P.C.

Ira M. Emanuel, Esq. | Amy Mele, Esq. *Of Counsel*
Counsel to Freeman & Loftus, RLLP

Four Laurel Road
New City, NY 10956

Info@EmanuelLaw.com

www.EmanuelLaw.com

Tel: 845-634-4141

September 6, 2023

Richard S. Pakola Esq.
Deputy Town Attorney
Town of Orangetown
26 Orangeburg Road
Orangeburg, NY 10962

Re: SDFS Sewerage Works Corp. (St. Dominic's Family Services)

Dear Mr. Pakola:

We represent St. Dominic's Family Services, which obtained subdivision approval for the campus it shares with the Dominican Sisters of Blauvelt at 300 Western Highway, Blauvelt. One condition of the subdivision approval was the creation of a sewerage works transportation corporation to take ownership of shared sanitary sewer pipes on the site.

We have received a letter of no objection from the Rockland County Health Department, which is a condition precedent to the next step: Town Board consent. To that end, enclosed are the following:

- Performance Bond, amount based on estimated maintenance costs
- Certificate of Incorporation
- Shareholders Agreement
- Certificate of Consent of Town Board
- Sanitary sewage easement

Also attached is a map showing the sanitary sewage works at issue.

Please present this matter to the Town Board for consideration at its next available meeting. If you need additional information, please contact me.

Very truly yours,
EMANUEL LAW P.C.

By:_____
Ira M. Emanuel, Esq.

Encls.
Cc: Client

Rockland County
HEALTH

CENTER FOR ENVIRONMENTAL HEALTH
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building D
Pomona, New York 10970
Phone: (845) 364-2608 Fax: (845) 364-2025

Public Health
Prevent. Promote. Protect.

EDWIN J. DAY
County Executive

SAMUEL RULLI, PE
Director, Environmental Health

August 31, 2023

Ira Emanuel
Emanuel Law PC
4 Laurel Road
New City, New York 10956

Re: Sisters of St. Dominic of Blauvelt
Private Disposal System
Tax Lot 74.06-3-1.1

Dear Mr. Emanuel:

This office has no objection to the formation of the sewage works corporation, "SDFS Sewage Works Corporation." pursuant to Section 3 of the Transportation Corporations Law.

If you have any questions, please call the undersigned.

Very truly yours,

Elizabeth Mello, P.E.
Senior Public Health Engineer
(845) 364-2616

cc: Town of Orangetown Town Board
Town of Orangetown Planning Board
Michael Weber, P.E., Town of Orangetown

DECLARATION OF EASEMENT AGREEMENT – SHARED SANITARY SERVICES

THIS DELCARATION OF EASEMENT AGREEMENT ("Agreement") is made and entered into this ___day of _____, 2023, by and among ST. DOMINIC'S FAMILY SERVICES, a non-profit corporation organized under the laws of the State of New York having offices for the transaction of business at 500 Western Highway, Blauvelt, New York 10913 (hereinafter "SDFS") and the SISTERS OF ST. DOMINIC OF BLAUVELT, a Religious Corporation organized under the State of New York, having offices for the transaction of business at 496 Western Highway, Blauvelt, New York 10913 (the "SISTERS"), both of whom are collectively referred to as the "Parties" or the "Owners".

W I T N E S S E T H:

WHEREAS, SDFS conducts its operations in buildings and land which are owned by the SISTERS, a related but independent entity, located at 500 Western Highway, Blauvelt, New York, designated on the Tax Map of the Town of Orangetown as Tax Lot 74.06-3-1.1 (the "Parcel"); and

WHEREAS, over the past decades, improvements, including sanitary water, drainage and public water services, have been built and installed the Parcels without reference to the possibility of future subdivision of the Parcel and conveyance of a part of the Parcel by the SISTERS; and

WHEREAS, SDFS and the SISTERS applied for, and were granted, subdivision approval by the Planning Board of the Town of Orangetown of said parcels into two new lots, as shown on Subdivision Map on File in the Rockland County Clerk's Office at Book __ of Maps at page

DRAFT

___ as Map No. _____ (the "Subdivision Plat") a copy of which is annexed hereto as Exhibit "A"; and

WHEREAS, in accordance with the Subdivision Plat, the SISTERS have retained Lot 1.11 thereof ("Lot 1" or the "Sister's Parcel") and have conveyed Lot 1.12 thereof to SDFS ("Lot 2" or the "SDFS Parcel"); and

WHEREAS, Lot 1 has been assigned tax lot number 74.06-3-___ and Lot 2 has been assigned tax lot number 74.06-3-___ by the Town of Orangetown Assessor; and

WHEREAS, in order to accommodate the most favorable and continued operation of the overall site, the Parties desire to establish and define certain easements (the "Easements") appurtenant to and associated with the respective parcels (collectively, the "Combined Parcels") and their mutual operations, such Easements to run with the land and inure to the benefit of the current and future Owners (as hereinafter defined) and lessees of the Parcels, together with their respective successors, transferees and/or assigns subject to the terms and conditions herein; and

WHEREAS, the sanitary waste water services (the "Sanitary Services") are located on Sisters Parcel and also benefit the SDFS Parcel, as set forth in Exhibit B hereto; and

WHEREAS, simultaneously with, or as soon after the filing of the Subdivision Plat as is practicable, the ownership of the newly created Lots will be as set forth above; and

WHEREAS, the Parties wish to enter into this Agreement, which was a condition of approval of the Subdivision Plat, in order to delineate and memorialize the lot Owners' ongoing rights and responsibilities with respect to Sanitary Services; and

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WHEREAS, this Easement affects Lot 1 and Lot 2 of the filed Subdivision Plat.

NOW, THEREFORE, the Parties, in consideration of the foregoing premises and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by all parties hereto, the said Parties hereby declare, grant, covenant, and agree as follows:

In consideration paid by the SDFS to the Sisters, the Sisters do hereby grant and release unto SDFS, their heirs or successors and assigns forever, an easement for the installation, construction, use and maintenance of Sanitary Services through premises of the Sisters, as set forth on Exhibit B hereto; and

The Parties further agree to the following distribution of maintenance and repair responsibilities:

1. Maintenance:

    a. SDFS parcel: SDFS shall perform all maintenance at its sole cost of that portion of the sanitary system located on the SDFS parcel. The Sisters shall have the right to enter to perform maintenance or repair if not done by SDFS in a reasonable time and if such failure shall prohibit the normal use of the system by the Sisters;
    b. Sisters' parcel: The Sisters shall perform all maintenance at its sole cost of the portion of the sanitary system located on the Sisters' Parcel, provided, however, that the cost for any maintenance required on the joint Sanitary System as depicted on Exhibit B shall be shared equally between the parties. SDFS shall have the right to enter to perform maintenance or repair if not done by the Sisters in a reasonable time and if such failure shall prohibit the normal use of the system by SDFS.

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2. Service and Repair:

    a. SDFS parcel: The service and repair of all Sanitary Services located on the SDFS Parcel is the responsibility of the SDFS at the sole cost of SDFS, unless the need for service/repair is a result of the willful misconduct or negligence of the Sisters, in which case the Sisters shall be solely responsible for such cost. The Sisters shall have the right to enter to perform maintenance or repair if not done by SDFS in a reasonable time and if such failure shall prohibit the normal use of the system by the Sisters.

    a. Sisters' parcel: The service and repairs of all pipes from SDFS Sanitary Services to the point where it joins up with the Sisters' Sanitary Services shall be performed by the Sisters' at the sole cost of SDFS.

    At such point as the Sanitary Services from the SDFS Parcel connects with the Sisters' Sanitary Services, the Sisters shall be responsible for all service. The cost of such service shall be prorated between the Parties based on the last six months of water usage. SDFS shall have the right to enter to perform maintenance or repair if not done by the Sisters in a reasonable time and if such failure shall prohibit the normal use of the system by SDFS.

3. Remedies.

    Any Owner shall have the right to seek all legal and equitable remedies available to it as a result of the breach or default by any other Owner of its covenants, agreements or obligations under this Agreement, including the right to such orders of specific performance or injunctive relief as are appropriate. Specifically, if any Owner fails to provide the maintenance and repairs to the Sanitary Services as set

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forth in Section 2 above, after being provided thirty (30) days' written notice of such default (except in the event of an emergency, in which event only such notice as is reasonable under this circumstance will be necessary), from the other party hereto, then any other Owner or all other Owners may perform the repair and maintenance to the driveways and walkway and parking areas improvements, and in such event, the defaulting Owner shall be required to reimburse the curing Owner or Owners for the defaulting Owner's proportionate share of its costs incurred in performing such repairs and maintenance within thirty (30) days after being invoiced for the same. Any sums due from any Owner to another Owner or Owners hereunder which are not paid when due shall bear interest from the date due until paid at an annual interest rate equal to eight percent (8%).

4. Miscellaneous.

A. Binding Effect.

Unless specifically stated otherwise, all restrictions and covenants contained herein shall be construed as covenants running with the land, and all easements granted herein shall be construed as running with the land to the real property burdened thereby and as being appurtenant to the real property benefited thereby. All of said easements, covenants and restrictions shall be binding upon Lot 1 and Lot 2, as indicated herein, and shall inure to the benefit of, and be enforced by, any Owner of any of the Lot 1 and Lots 2, each of their respective tenants, and the respective legal representatives, successors and assigns of each of them.

B. No Partnership.

This Agreement shall not create an association, partnership, joint venture, or a

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principal and agency relationship between the Owners of the property subject to this declaration or their respective tenants or licensees.

C. No Waiver.

No waiver of any provision hereof shall be deemed to imply or constitute a further waiver thereof or any other provision set forth herein.

D. Severability.

Should any provision hereof be declared invalid by a legislative, administrative or judicial body of competent jurisdiction, the other provisions hereof shall remain in full force and effect and shall be unaffected by same.

E. Notices.

All notices and approvals required or permitted under this Agreement shall be served by hand delivery, by certified mail, return receipt requested, or by any private nationally recognized overnight type of delivery service, to any real property Owner at such address as such Owner may from time to time designate by written notice to the aforesaid other Owners, or if any such Owner fails to provide such a notice, at the address as listed as the tax mailing address for the parcel of real property owned by such Owner. Date of service of notice or approval shall be the date on which such notice or approval is received by the party to whom the same is sent.

F. Entire Agreement.

This Agreement, together with the Exhibits attached hereto, contains the entire agreement among the parties and there are no other terms, expressed or implied, except as contained herein or therein. No modification of this Agreement shall be

DRAFT

binding upon the Parties unless such modification shall be in writing signed by all Parties hereto.

G. No Merger.

None of the easements or other rights created by this Agreement shall be merged or eliminated due to the common ownership of any of the real property subject to this Agreement.

H. New York Law.

All of the Parties hereto elect that this Agreement shall be governed, construed, and enforced in accordance with the laws of the State of New York. Any action or proceeding brought to enforce, interpret, or affect any aspect or provision of this Agreement shall be brought in the Supreme Court of the State of New York, in and for Rockland County.

I. Effective Date.

This Agreement shall not be effective until the later of such date as 1) all parties have executed the Agreement; AND 2) a Transportation Corporation shall have been created and filed pursuant to New York Transportations Corporations Law.

[Remainder of page left blank; Signature page to follow]

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Executed as of this day of , 2023.

ST. DOMINIC'S FAMILY SERVICES

_____

By:

Its:

STATE OF NEW YORK)

COUNTY OF ROCKLAND) ss.:

On the ___day of in the year 2023 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

DRAFT

SISTERS OF ST. DOMINIC OF BLAUVELT

_____

By:

Its:

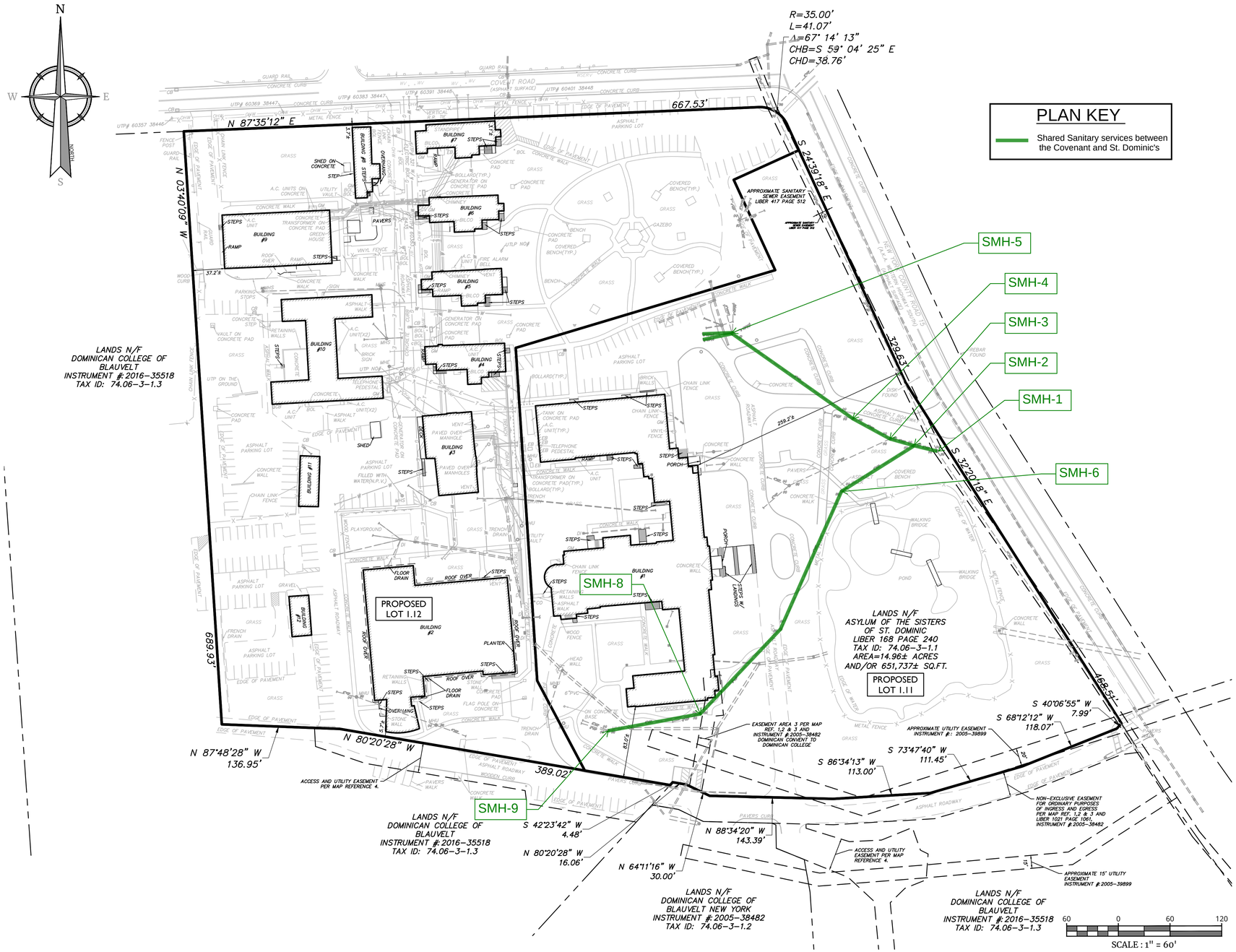
STATE OF NEW YORK)

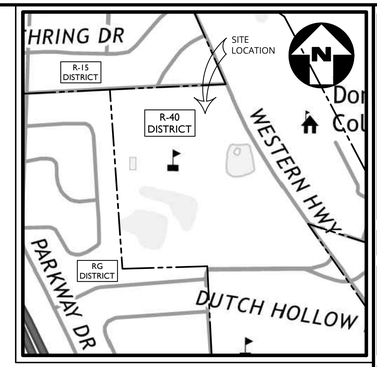
COUNTY OF ROCKLAND) ss.:

On the __ day of in the year 2023 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

DRAFT





VICINITY MAP
U.S.G.S. QUADRANGLE MAP (NYACK, NY)
SOURCE: U.S.G.S.
1" = 400'

Colliers Engineering & Design

www.colliersengineering.com

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ALL STATES REQUIRE NOTIFICATION OF EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN ANY STATE
Know what's below. Call before you dig.
FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALL811.COM

REV	DATE	DRAWN BY	DESCRIPTION

EASEMENT EXHIBIT

FOR

ST. DOMINIC'S FAMILY SERVICES

SECTION 74.06
BLOCK 3
LOT 1.1

HAMLET OF BLAUVELT
TOWN OF ORANGETOWN
ROCKLAND COUNTY
NEW YORK

Colliers Engineering & Design
MONTVALE
50 Chestnut Ridge Road, Suite 101
Montvale, NJ 07645
Phone: 845.352.0411
COLLIERS ENGINEERING & DESIGN CT, P.C. DOING BUSINESS AS MASER CONSULTING ENGINEERING & LAND SURVEYING

SCALE:	DATE:	DRAWN BY:	CHECKED BY:
AS SHOWN	2/17/23	CMA	JBC

PROJECT NUMBER:	DRAWING NAME:
20003223A	C-SBDV-EXBT

SHEET TITLE:
SANITARY EXHIBIT

SHEET NUMBER:
1 of 1

NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.

\\AJ-Publish_136681C-SBDV EXBT.dwg\C-01 SANITARY EXHIBIT By: CAU

SHAREHOLDERS' AGREEMENT

SDFS SEWAGE WORKS CORP.

AGREEMENT dated _____, 2023, between

ST. DOMINIC'S FAMILY SERVICES, a non-profit corporation organized under the laws of the State of New York having offices for the transaction of business at 500 Western Highway, Blauvelt, New York 10913 (hereinafter "SDFS" or "West Lot Owner") and

SISTERS OF ST. DOMINIC OF BLAUVELT, a Religious Corporation organized under the State of New York, having offices for the transaction of business at 496 Western Highway, Blauvelt, New York 10913 (hereinafter the "SISTERS" or "East Lot Owner") and

SDFS SEWAGE WORKS CORP., a New York sewage works corporation incorporated under Article 10 of the New York Transportation Corporations Law, having an office c/o St. Dominic's Family Services, 500 Western Highway, Blauvelt, New York 10913 (hereinafter, the "Corporation").

WHEREAS, Sisters was the owner of real property located in the hamlet of Blauvelt, Town of Orangetown, County of Rockland, New York, identified on the tax map of the Town of Orangetown as Section 74.06, Block 3, Lot 1.1; and

WHEREAS, said real property was served by a private sanitary sewer system (the "Sewer System"); and

WHEREAS, Sisters have subdivided said real property into two lots and have conveyed one of the said lots to SDFS; and

WHEREAS, SDFS is now the owner of the lot identified on the tax map of the Town of Orangetown as Section 74.06, Block 3, Lot __ (hereinafter, the "West Lot"); and

WHEREAS, Sisters is now the owner of the lot identified on the tax map of the Town of Orangetown as Section 74.06, Block 3, Lot ___ (hereinafter, the "East Lot"); and

WHEREAS, the West Lot and the East Lot adjoin one another; and

WHEREAS, as a result of the said subdivision, the existing private sanitary sewer system now serves two parcels of real property with two owners; and

WHEREAS, pursuant to applicable regulations of the New York State Department of Health, the joint use of the Sewer System by SDFS and Sisters requires the formation of a sewage works corporation pursuant to Article 10 of the New York Transportation Corporations Law; and

WHEREAS, SDFS and Sisters have, accordingly, agreed to form the Corporation pursuant to said law (hereinafter, the "Corporation"); and

WHEREAS, to set forth the rights and responsibilities of the parties hereto, SDFS, Sisters, and Corporation have entered into this Agreement.

NOW, THEREFORE, IT IS HEREBY AGREED, by and between the parties hereto, in consideration of One and 00/100ths Dollars and the mutual promises made herein, as follows:

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1. Formation of Corporation. SDFS and Sisters hereby agree to the formation of the Corporation. SDFS and Sisters shall be the only shareholders of the Corporation.

2. Shares Appurtenant to Land. Shares of the Corporation are appurtenant to and shall run with the land. Not less than thirty (30) days prior to any contemplated transfer of title to a third party, the transferring shareholder shall notify the remaining shareholder of the impending transfer, its anticipated closing date, the name, address, telephone number, e-mail address, responsible individual, and any other available contact information for the new owner. Any deed of transfer shall contain the following language: "TOGETHER WITH AND SUBJECT TO the obligations and rights of shareholders of SDFS Sewage Works Corp." At closing, the transferring shareholder shall transfer all its shares to the new owner, and shall attend to recording same on the books of the Corporation. The remaining shareholder shall not have the right to object to a transfer of shares to the new owner.

3. Distribution of Shares. There shall be two shares of common stock in the Corporation. East Lot Owner shall own one share. West Lot Owner shall own one share. No other shares of stock shall be issued by the Corporation except pursuant to an amendment to this Agreement addressing the issuance of such additional shares. There shall be no preferred or other classes of stock in the Corporation.

4. Directors. There shall be two directors of the Corporation. East Lot Owner shall nominate one person to serve as director. West Lot Owner shall nominate one person to serve as director. East Lot Owner and West Lot Owner agree to vote in favor of the other's nominee. The director nominated by East Lot Owner shall serve as President and Treasurer of the Corporation. The director nominated by West Lot Owner shall serve as Secretary of the Corporation.

5. No Additional Connections. There shall be no connections to the Sewer System except for the existing buildings on the West Lot and the existing buildings on the East Lot, nor shall any building be expanded so as to increase the amount or rate of flow into the Sewer System. Nothing herein shall prevent the parties from hereafter amending this Agreement to account for a new connection or increased flow into the Sewer System.

6. Ongoing Maintenance Responsibilities. Maintenance responsibilities for the Sewer System are set forth in a certain Declaration of Easement Agreement – Shared Sanitary Services entered into between SDFS and Sisters recorded in the Office of the Rockland County Clerk as Instrument No. _____. All references in said Declaration to the SDFS Parcel shall be deemed to refer to the West Lot and all references in said Declaration to the Sister's Parcel shall be deemed to refer to the East Lot. Nothing herein shall prevent the parties from hereafter agreeing to modify such maintenance responsibilities by entering into a new or amended Declaration, so long as such amended Declaration ensures that the Sewer System is maintained and continues to conform to all applicable rules and regulations.

DRAFT

7. Corporate Responsibility. Neither East Lot Owner nor West Lot Owner shall take any action or cause their respective directors to take any action in derogation of the responsibilities of the Corporation as a sewage works corporation.

8. Notices. Except as otherwise expressly provided in this Agreement, all notices and approvals required or permitted under this Agreement shall be served by hand delivery, by certified mail, return receipt requested, or by any private nationally recognized overnight type of delivery service, to any real property Owner at such address as such Owner may from time to time designate by written notice to the aforesaid other Owners, or if any such Owner fails to provide such a notice, at the address as listed as the tax mailing address for the parcel of real property owned by such Owner. Date of service of notice or approval shall be the date on which such notice or approval is received by the party to whom the same is sent.

9. Miscellaneous.

a. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.
b. Any section headings or captions contained in this Agreement shall be for convenience of reference only and shall not affect the construction or interpretation of any provisions of this Agreement.
c. This Agreement shall be governed by and construed in accordance with the laws of the State of New York. Any action or proceeding to enforce any portion of this Agreement shall be brought in the Supreme Court of the State of New York, in and for the County of Rockland.
d. This Agreement constitutes the entire agreement between the parties concerning the Corporation and its shares and supersede all prior agreements or undertakings. This Agreement may not be modified except by the written agreement of the parties.

[Signatures on following page]

DRAFT

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the ___ day of _____, 2023.

SDFS SEWAGE WORKS CORPORATION

By:_____
, President

ST. DOMINIC'S FAMILY SERVICES

By:_____

SISTERS OF ST. DOMINIC OF BLAUVELT

By:_____

DRAFT

STATE OF _____)

) ss.:

COUNTY OF _____)

On the __ day of _____, 20__, before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me, or proved to me on the basis of satisfactory evidence, to be the individual(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual(s) made such appearance before the undersigned in _____, _____.

(Insert name of city or town and state)

_____

Notary Public

STATE OF _____)

) ss.:

COUNTY OF _____)

On the __ day of _____, 20__, before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me, or proved to me on the basis of satisfactory evidence, to be the individual(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual(s) made such appearance before the undersigned in _____, _____.

(Insert name of city or town and state)

_____

Notary Public

DRAFT

LICENSE, HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

THIS LICENSE, HOLD HARMLESS AND INDEMNIFICATION AGREEMENT ("Agreement") made as of this ____ day of _____, 20___, by and between ROBERT MARC FISHER, residing at 301 E 47th Street, Apt. 18e, New York, New York 10017, the party of the first part, and the TOWN OF ORANGETOWN, a Municipal Corporation, having an address at Town Hall, 26 Orangeburg Road, Orangeburg, New York 10962, the party of the second part.

RECITALS;

WHEREAS, the party of the first part represents and warrants that it is the owner in fee simple of premises more particularly described in Schedule "A" annexed hereto and forming a part hereof, and known as and by street address number: 7 Berachah Avenue, South Nyack, New York 10960, and being designated on the Orangetown Tax Map as Section 66.61, Block 1, Lot 19.2 (the "premises");

WHEREAS, the party of the second part has a sanitary sewer easement on said premises;

WHEREAS, the party of the first part wishes to cross the sanitary sewer easement with a ground level wooden walkway without foundations and cross the easement with a 6" diameter roof leader drain pipe laid shallow underground, which is shown in the map or diagram attached at Schedule "B";

WHEREAS, the party of the first part wishes said encroachment to exist so as to have the beneficial nature of same, from both an economic and aesthetic standpoint to the party of the first part; and

WHEREAS, the party of the second part is agreeable to granting the party of the first part a permanent license in order to maintain said construction on the easement area, on the express

condition that an agreement, running with the land, is made, in recordable form, which provides, *inter alia*, that: (1) the party of the second part will not, as a result of, or in connection with, or related to, incur any liability in or any responsibility for the removal, upkeep, repair, replacement, restoration and/or maintenance of said construction; (2) the party of the first part will not assert against the party of the second part any relinquishment or abandonment, or claims thereof, or other estate, interest and/or rights held by the party of the second part in or to the easement, or any part thereof; and (3) the party of the first part agrees, at its sole cost and expense, to indemnify and hold harmless and defend the party of the second part from and against any and all liability or responsibility, resulting from, or in connection with, or related to, the removal, upkeep, repair, replacement, restoration and/or maintenance of the said construction, or claims thereof.

WITNESSETH:

NOW, THEREFORE, in consideration of One Dollar ($1.00) paid by the party of the first part to the party of the second part, the receipt of which is hereby acknowledged, the foregoing Recitals (the "Recitals") and or other good and valuable consideration, the parties hereto, intending to be legally bound, hereby agree as follows:

FIRST: All of the Recitals are, by this reference thereto, incorporated herein with the same force and effect as if repeated herein in their entirety.

SECOND: Subject to the terms and conditions herein set forth, the party of the second part hereby creates and grants to the party of the first part a permanent license over and across the easement for the purposes of maintaining and continuing to maintain, in its proposed location, the party of the first party's extension of its garage and which the party of the first part acknowledges and agrees does encroach upon the party of the second part's easement.

THIRD: The party of the first part agrees to indemnify and hold harmless and defend the party of the second part from any and all liability or responsibility in connection with, or related to, the said construction and/or this Agreement, including, without limitation, any claims, proceedings, legal fees, and any and all liability and responsibility in connection therewith or

related thereto, and any damage or injury to the easement and/or the premises which may be the result of, or attributable to, any damage or injury caused by the party of the second part, its employees and/or agents due to the failure or timely failure of the party of the first part to act hereunder or comply herewith, in accordance with, or pursuant to, or as contemplated by the provisions of this Agreement and which are the express obligation hereunder on the part of the party of the first part to perform and/or which result, directly or indirectly, from the exercise by the party of the second part of its rights under, or related or incidental to, the easement.

FOURTH: The party of the first part agrees that the party of the second part shall not be obligated to repair or replace the walkway or drainage piping in the event either or both are damaged as a result of the Sewer Department accessing or working in the easement area.

FIFTH: The party of the first part agrees not to assert against the party of the second part any relinquishment or abandonment, or claims thereof, or other estate, interest and/or rights held by the party of the second part in or to the easement, or any part thereof, and further agrees that the revocable license hereby created or granted to it by the party of the second part neither impairs nor diminishes any of the rights afforded to the party of the second part by virtue of the easement.

SIXTH: This Agreement shall be binding upon the party of the first part, its successors and/or assigns and shall inure to the benefit of the party of the second part, its successors and/or assigns.

IN WITNESS WHEREOF, the parties hereto have signed and sealed, or caused to be signed and sealed by their duly authorized representatives, this instrument as of the date first above written.

ROBERT MARC FISHER

TOWN OF ORANGETOWN

By:_____

STATE OF NEW YORK)
: ss.:
COUNTY OF ~~ROCKLAND~~ New York)

On the 25th day of August in the year 2023 before me, the undersigned, a notary public in and for said state, personally appeared Robert Marc Fisher, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

ANTHONY R PARRINO
Notary Public – State of New York
NO. 01PA6284998
Qualified in Bronx County
My Commission Expires Jul 1, 2025

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

On the day of _____, 2023, before me personally came _____, to me known, who, being by me duly sworn, did depose and say that he/she resides in _____, New York; that he/she is the _____ of the Town of Orangetown, the municipality described in and which executed the foregoing instrument; that he/she knows the seal of said municipality; that the seal so affixed to said instrument is such seal; that it was so affixed by order of the Town Board of the Town of Orangetown, and that he/she signed his/her name thereto by like order.

_____
Notary Public

Record and Return to:

Richard S. Pakola, Esq.
Deputy Town Attorney
Town of Orangetown
26 Orangeburg Road
Orangeburg, NY 10962

SCHEDULE “A”

37713 JAD

Bargain & Sale Deed
(With Covenants)

THIS INDENTURE, made the 26th day of April, 2022.
BETWEEN

Isabel L. Becker, residing at 2 Squirrelwood Court, New City, NY 10956

party of the first part, and

Robert M. Fisher, residing at 301 East 47th Street-- Apt. 18E, New York, NY 10017

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ONE ($1.00) DOLLAR, lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land situate, lying and being in the former Village of South Nyack, Town of Orangetown, County of Rockland and State of New York known and designated as Lot No. 2 on a certain map entitled "Subdivision for Owen Bangs" made by William Youngblood Associates dated July 20, 2000 and filed in the Rockland County Clerk's Office on October 22, 2001 in Book 122 page 1 as Map No. 7469, being further shown as Lot No. 20 on Map entitled "Major Subdivision of Lands of Dansome, LLC", made by Gary R. Rich, LLS, dated July 7, 2005 and filed in the Rockland County Clerk's Office on June 22, 2005 in Map Book 125 page 8 as Map No. 7769.

BEING the same premises received ISABEL L. BECKER, who acquired title by Deed from County of Rockland dated May 24, 2018 and recorded in the Rockland County Clerk's Office on May 25, 2018 under Instrument No. 2018-15339. ; and BEING known as 7 Berachah Avenue, Nyack, NY 10960, [S/B/L #66.61-1-19.2; T/Orangetown; ~~V/South Nyack;~~ County of Rockland].

The premises are not in an agricultural district and are entirely owned by the transferor.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs, or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

In Presence Of:

x Isabel L. Becker
Isabel L. Becker

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

On the 26th day of April, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared **Isabel L. Becker**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Ricki H Berg
Notary Public

Ricki H. Berger
NOTARY PUBLIC - State of NY
Rockland County 02BE4813022
Expires 10/31/22

SCHEDULE “B”

TAX LOT: SECTION 66.61, BLOCK 1, LOT 19.2

COLLEGE AVE.

(A PRIVATE ROAD AS DEFINED BY LETTER OF JULY 31, 2023 BY JADE ABSTRACT COMPANY INC.)

CHASE AVE.

(FORMERLY KNOWN AS CENTRAL AVE.)

CENTRAL AVENUE ROAD WIDENING DEDICATION PER F.M. #7769 AREA = 769 S.F.

EASEMENT PER L. 153 / P. 2065 IN FAVOR OF THE CHRISTIAN MISSIONARY ALLIANCE FOR INGRESS, EGRESS AND UTILITIES RELEASED PER INSTR. #2022-18089

EASEMENT "A" PER INSTR. #2001-12458 ABANDONED PER INST. #2022-18090

EASEMENT FOR THE LIMITED USE OF RECREATION, GARDENING AND PARKING AREA = 1,268 S.F. PER INST. #2022-18090

EASEMENT "B" PER INSTR. #2001-12458 ABANDONED PER INST. #2022-18090

EASEMENT PER INSTR. 2002-23213

BERACHAH AVE.

DRAIN F1 RIM 306.62

DRAIN F1 RIM 300.67

CONTRACTOR TO VERIFY LOCATION ON WATER SERVICE TIE-IN.

SAN MH RIM 307.06 I IN 297.56 I OUT 297.46

8" PVC

TW 307.4 BW 305.4

PROP. IP TO BE SET

PROPOSED STABILIZED CONSTRUCTION ENTRANCE (TYPICAL)

PROP. RETAINING WALL (DESIGNED BY OTHERS)

A = 14,640 S.F. = 0.3361 ACRES

CONC. MON FND

TREE TO BE REMOVED (TYP.)

PROPOSED CARPORT

STONE WALL

OVER PARKING AREA

TOPSOIL STOCKPILE AREA

8 WOOD STEPS

5 CONC. STEPS

FLAT AT GRADE WARREN WALK (SEE ARCHITECTURAL PLANS)

ACCESS PORTS

PROP. DETENTION SYSTEM: 74 LF 48"ø LDPE (NO INFILTRATION)

48"ø L=37' @0.0% INV. 288.0

CAP

ENDS

PROP. IP TO BE SET

C.O.#6 INV 289.6

C.O.#5 INV 289.3

C.O.#4 INV 290.0

C.O.#10 INV. 285.9

C.O.#11 INV. 282.6

C.I. H/C MECH. ROOM INV. 286.0 10" BF

1 STORY AREA SF 555 S.F. FF 952 S.F. BF 181 S.F.

2 STORY AREA

GEN PAD

AC

WOOD DECK

4'x5' FF DECK FSF 310.5 FFF 299.0 EFF 298.8

12" LDPE W/ PIPE ADAPTOR = 3' S=0.00%

SPREADER #1 TOP ELEV: 284.84

4"ø SDR 35 PVC L=26' @12.69% FF

4" SDR 35 PVC L=132' @12.3%

289.5

SILT FENCE (TYP.)

SPLIT RAIL FENCE

LIMIT OF DISTURBANCE A = 0.18 ACRES

IR FND 0.1' SE

IR FND 0.1' SW

**NOTE: ROOF GUTTERS AND DOWNSPOUTS TO CONNECT TO ROOF LEADER CO#9

PROPOSED 2-STORY 1 FAMILY DWELLING

N/F SCHURR 66.61-1-19 LOT 19, FM #7769

**NOTE: ROOF GUTTERS AND DOWNSPOUTS TO CONNECT TO ROOF LEADER CO#7 & 8

EXISTING SAN CO RIM 284.70 INV 276.90±

20' WIDE SANITARY SEWER EASEMENT PER F.M. #7769 & INSTR. 2005-34858 OWNER DANSOME LLC

SWALE

DMH#2 RIM=284.2 INV. IN=282.4 INV. OUT=282.4 SUMP: 279.8

EDGE LAWN

CONC. WALL

16.1'

54.00' EAS.

MACADAM DRIVEWAY

CONC. CURB

10.8'

CONC. MON FND 0.1' SE

N83°27'59"W 26.84'

S04°41'22"W 21.00'

PROP. IP TO BE SET

LT4

T1 - T41 (TREES)

P. STORM INLET/OUTLET MH #4 RIM 296.0 I IN 289.1 (6") I OUT 288.0 SUMP: 287.0 (SEE DETAIL)

ECCENTRIC 12"ø CAPS

MANIFOLD PIPES

YD #3 RIM=285.0 INV. IN=283.1 (8") INV. OUT=282.8 (12")

12"ø L=18' S=2.22%

8"ø L=37' S=13.24%

4" PVC

6" TILE

SAN MH RIM 259.25 I IN 253.05 (6") I IN 252.55 (4") I OUT 252.50

SAN MH (BURIED)

SAN MH RIM 259.92 I IN 254.87 (8") I IN 254.82 I OUT 254.72

8" PVC L=86' @4.33%

D.C.

GV

PAVER WALK

MACADAM DRIVEWAY

CONC. CURB

DRAIN CI RIM 258.38 I OUT 254.73

SAN MH RIM 258.60 I IN 251.00 (8") I IN 249.30 (6") I OUT 248.20

18" HDPE

DRAIN CI (TYP.)

ADJ. BLDG.

CONC. WALL

FLUSH CURB

SAN CO

MAINTENANCE SCHEDULE:

CLEANOUTS, CATCH BASINS & MANHOLES: MUST BE CLEANED OF SEDIMENT AT LEAST ONCE PER YEAR DURING THE MONTH OF APRIL AND AT ALL OTHER TIMES AS NECESSARY TO PREVENT THE DISCHARGE OF POLLUTANTS FROM THE SYSTEM. FOR MORE INFORMATION SEE STORMWATER MAINTENANCE AGREEMENT.

EROSION CONTROL INFORMATION:

EROSION AND SEDIMENT CONTROL PLAN - CONSTRUCTION SEQUENCE:

1. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN PLACE PRIOR TO ANY GRADING OPERATIONS AND INSTALLATION OF PROPOSED STRUCTURES AND OR UTILITIES.
2. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL REMAIN IN PLACE AND BE MAINTAINED UNTIL CONSTRUCTION IS COMPLETED AND/OR STABILIZED.
3. INSTALL STABILIZED CONSTRUCTION ENTRANCE AS INDICATED ON PLAN.
4. INSTALL SILT FENCE DOWN SLOPE OF ALL AREAS TO BE DISTURBED AND DOWN SLOPE OF ALL AREAS DESIGNATED FOR TOPSOIL STOCKPILING.
5. CONSTRUCT BERMS, TEMPORARY SWALES AND PIPES AS NECESSARY TO DIRECT RUNOFF TO TEMPORARY SEDIMENTATION ENTRAPMENT AREAS.
6. CLEAR EXISTING TREES, VEGETATION AND EXISTING STRUCTURES FROM AREAS TO BE FILLED OR EXCAVATED. STRIP AND STOCKPILE TOPSOIL FROM AREAS TO BE DISTURBED. SEED STOCKPILED TOPSOIL WITH TEMPORARY RYE GRASS COVER.
7. PERFORM EXCAVATION AND FILL TO BRING LAND TO DESIRED GRADE. ANY DISTURBED AREAS TO REMAIN BARE SHALL BE SEEDED WITH TEMPORARY RYE GRASS.
8. INSTALL UNDERGROUND UTILITIES, MANHOLES AND CATCH BASINS. GRATES OF CURB AND FIELD INLETS SHOULD BE LEFT AT ELEVATIONS WHICH PERMIT PROPER COLLECTION OF SURFACE RUNOFF.
9. INSTALL INLET PROTECTION AT CURB AND FIELD INLETS.
10. CONSTRUCT CURBS AND INSTALL BASE AND BINDER COURSES OF PAVED AREAS. RAISE GRATES OF THE CURB AND FIELD INLETS ACCORDINGLY.
11. COMPLETE THE GRADING.
12. INSTALL SURFACE COURSE OF PAVEMENT. RAISE GRATES OF CURBS AND FIELD INLETS TO FINAL ELEVATION.
13. UPON COMPLETION OF CONSTRUCTION, ALL DISTURBED AREAS ARE TO BE SEEDED WITH 1/2 LB. OF RYE GRASS PER 1,000 SQUARE FEET OR DISTURBED AREA. ALL TEMPORARY DEVICES SHALL BE REMOVED AND, THE AFFECTED AREAS REGRADED, PLANTED OR TREATED IN ACCORDANCE WITH THE APPROVED SITE PLANS.
14. FOR INDIVIDUAL HOUSE & SEPTIC CONSTRUCTION FOLLOW STEPS #1 TO #15 WHERE APPLICABLE.
15. BARE SOIL SHALL BE SEEDED WITHIN 14 DAYS OF EXPOSURE; WHENEVER CONSTRUCTION IS SUSPENDED OR COMPLETED, AREAS SHALL BE SEEDED DOWN OR MULCHED IMMEDIATELY. UPON COMPLETION A PERENNIAL MIX NEEDS TO BE USED TO ENSURE CONTINUAL STABILIZATION.

STANDARD EROSION CONTROL NOTES

AN EROSION CONTROL SYSTEM WILL BE UTILIZED BY THE DEVELOPER TO MINIMIZE THE PRODUCTION OF SEDIMENT FROM THE SITE. METHODS TO BE UTILIZED WILL BE THOSE FOUND MOST EFFECTIVE FOR THE SITE AND SHALL INCLUDE ONE OR MORE OF THE FOLLOWING AS APPLICABLE:

1. TEMPORARY SEDIMENTATION ENTRAPMENT AREAS SHALL BE PROVIDED AT KEY LOCATIONS TO INTERCEPT AND CLARIFY SILT LADEN RUNOFF FROM THE SITE. THESE MAY BE EXCAVATED OR MAY BE CREATED UTILIZING EARTH BERMS OR HAY BALES. CRUSHED STONE OR GRAVEL FILTER AREAS SHALL BE PROVIDED AT ALL STORM DRAIN INLETS. CHANNELIZATION SHALL BE CONSTRUCTED TO INSURE THAT ALL SILT LADEN WATERS ARE DIRECTED INTO THE ENTRAPMENT AREAS WHICH SHALL BE CLEANED PERIODICALLY DURING THE COURSE OF CONSTRUCTION. THE COLLECTED SILT SHALL BE DEPOSITED IN AREAS SAFE FROM FURTHER EROSION.
2. ALL DISTURBED AREAS, EXCEPT ROADWAYS, WHICH WILL REMAIN UNFINISHED FOR MORE THAN 14 DAYS SHALL BE TEMPORARILY SEEDED WITH 1/2 LB. OF RYE GRASS OR MULCHED WITH 100 LBS. OF STRAW OR HAY PER 1000 SQUARE FEET. ROADWAYS SHALL BE STABILIZED AS RAPIDLY AS PRACTICAL BY INSTALLATION OF THE BASE COURSE.
3. SILT THAT LEAVES THE SITE IN SPITE OF THE REQUIRED PRECAUTIONS SHALL BE COLLECTED AND REMOVED AS DIRECTED BY APPROPRIATE MUNICIPAL AUTHORITIES.
4. AT THE COMPLETION OF THE PROJECT, ALL TEMPORARY SILTATION DEVICES SHALL BE REMOVED AND THE AFFECTED AREAS REGRADED, PLANTED OR TREATED IN ACCORDANCE WITH THE APPROVED SITE PLANS.
5. PROVIDE INLET PROTECTION TO ALL INLETS ON SITE: SEE DETAIL!

GENERAL NOTES:

1. CONTRACTOR TO VERIFY LOCATION, SIZE AND INVERTS OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL CONTACT ALL UTILITY COMPANIES AND HAVE ALL UTILITIES FIELD LOCATED BY RESPECTIVE UTILITY COMPANY AND SHALL ASSUME FULL RESPONSIBILITY AND SHALL BE SOLELY RESPONSIBLE FOR MAINTAINING CONTINUOUS UTILITY SERVICE AND REPAIRS TO ANY DAMAGE.
3. ALL EXISTING OFF-SITE PAVEMENT, FENCES, CURBS, WALKS AND OTHER FACILITIES DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED BY THE CONTRACTOR AT NO ADDITIONAL COST.
4. EXISTING UTILITIES & STRUCTURES THAT ARE TO BE REMOVED AND/OR REPLACED SHALL BE REMOVED AND LEGALLY DISPOSED OF BY THE CONTRACTOR.
5. PROJECT SAFETY AND TRAFFIC MAINTENANCE ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
6. UTILITIES AND UTILITY STRUCTURES WHOSE LOCATIONS ARE UNKNOWN MAY BE AFFECTED BY THE PROPOSED WORK. UPON FINDING SUCH UTILITIES, THE CONTRACTORS RESPONSIBILITY SHALL BE TO NOTIFY THE OWNER AND MAINTAIN THE UTILITIES IN WORKING ORDER UNTIL THEIR DISPOSITION IS RESOLVED.
7. CONTRACTOR TO COORDINATE WITH ALL COMPANIES TO ASSURE ADEQUATE SUPPLY AND SCHEDULING OF NEW SERVICE; WHERE REQUIRED, TO FIT THE CONSTRUCTION SCHEDULING AND SEQUENCE TO ASSURE NO DAMAGE OR DISTURBANCE TO COMPLETED WORK.
8. ALL NEW UTILITY SERVICE CONNECTIONS, INCLUDING LINES AND EQUIPMENT FOR PROVIDING POWER AND/OR COMMUNICATIONS, ARE TO BE INSTALLED UNDERGROUND.
9. THE EXTENT OF THE CONSTRUCTION AND DISTURBANCE AREAS SHALL BE THE MINIMUM REQUIRED TO PERFORM THE CONTRACT WORK WITH AS MINIMAL EFFECT ON ADJACENT AREAS AS POSSIBLE.
10. ALL NEW STORM DRAINAGE PIPING TO BE SMOOTH BORE CORRUGATED HIGH DENSITY POLYETHYLENE (HDPE) UNLESS OTHERWISE SPECIFIED.
11. ROOF LEADERS (WHERE REQUIRED) TO BE 4" DIA. SDR 35 PVC PIPE AND WILL OUTLET TO DOWNSPOUTS ADJACENT TO THE PROPOSED BUILDINGS.
12. ALL NEW WATER MAINS AND RELATED APPURTENANCES TO BE SPECIFIED BY ARCHITECT'S MECHANICAL ENGINEER.
13. ALL SANITARY HOUSE CONNECTIONS TO BE 6" DIA. CAST IRON WITH A MINIMUM GRADE OF .21 TO THE FIRST CLEAN OUT OUTSIDE THE BUILDING BEYOND THE FIRST CLEAN OUT, SDR 35 PVC PIPE MAY BE USED IN LIEU OF CAST IRON.
14. ANY SUBSTITUTIONS TO BE REQUESTED IN WRITING AND APPROVED BY THE DESIGN ENGINEER PRIOR TO CONSTRUCTION.
15. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS WITH REGARDS TO DEMOLITION AND LEGAL DISPOSAL OF EXISTING STRUCTURES, WALKS AND DRIVEWAYS.
16. ANY EXISTING HOUSE CONNECTION PROPOSED TO BE ABANDONED MUST BE PLUGGED BETWEEN THE EDGE OF THE RIGHT-OF-WAY AND THE CURB LINE WITH A PERMANENT WATERTIGHT PLUG OR CAP ENCASED IN CONCRETE.
17. WHERE FINISHED GRADE ELEVATION AT BUILDING WALL IS LESS THAN 24" BELOW THE FINISHED FLOOR CONSULT WITH ARCHITECT FOR CHANGES IN FOUNDATION AND SILL DESIGN.
18. CONTRACTOR TO OBTAIN AND SUBMIT SHOP DRAWINGS FOR ALL STRUCTURES TO DESIGN ENGINEER FOR REVIEW AND APPROVAL BEFORE MANUFACTURING.
19. RETAINING WALLS SHALL BE LESS THAN 4 FEET IN HEIGHT. RETAINING WALLS MORE THAN 4 FEET IN HEIGHT ARE REQUIRED TO BE DESIGNED BY A CERTIFIED STRUCTURAL ENGINEER.
20. THE EXISTING WELL IS TO BE DECOMMISSIONED IN ACCORDANCE WITH ARTICLE II OF THE ROCKLAND COUNTY SANITARY CODE UNLESS A REVISED LETTER TO THE CONTRARY FROM THE ROCKLAND COUNTY DEPARTMENT OF HEALTH IS RECEIVED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
21. AN INTERIOR CHECK VALVE SHALL BE PROVIDED ON THE SOIL LINE IF CAST IRON INVERT IS BELOW THE UPSTREAM MANHOLE RIM ELEVATION.
22. ANY ADDITIONAL IMPERVIOUS AREA NOT SHOWN ON THE SITE PLAN WILL REQUIRE ADDITIONAL DRAINAGE MITIGATION.

LEGEND

EXISTING	PROPOSED	ITEMS
		PROPERTY LINE
		BUILDING SETBACK LINE
SS	SS	SANITARY SEWER
S	S	SAN. SEWER MANHOLE
LS	LS	SEWER SERVICE
CO	CO	CLEAN-OUT
WM	WM	WATER MAIN
WS	WS	WATER SERVICE
FS	FS	FIRE SERVICE
W	W	WATER VALVE
GM	GM	GAS MAIN
GS	GS	GAS SERVICE
G	G	GAS VALVE
D	D	DRAIN PIPE
D	D	DRAINAGE MANHOLE
		CATCH BASIN
RL	RL	ROOF LEADER
FD	FD	FOOTING DRAIN
		UTILITY POLE
UE	UE	UNDERGROUND ELECTRIC
OHE	OHE	OVERHEAD ELECTRIC
300	300	10' CONTOUR INTERVAL
302	302	2' CONTOUR INTERVAL
301.5	+301.5	SPOT GRADE
	TW= BW=	WALL & CURB ELEVS.
		SILT FENCE
		STABILIZED CONSTRUCTION ENTRANCE

ZONING AREA CALCULATIONS:

LOT AREA - SLOPE DEDUCTIONS = ZONING LOT AREA

14,640 S.F. - 9,920 S.F. = 4,720 S.F.

MAXIMUM LOT COVERAGE CALCULATIONS:

IMPERVIOUS SURFACE / LOT AREA = LOT COVERAGE

2,657 S.F. / 4,720 S.F. = 0.563 (0.57!)

ALL UTILITIES ARE SHOWN IN AN APPROXIMATE WAY FROM AVAILABLE INFORMATION. THE CONTRACTOR SHALL CALL THE LOCAL UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION TO HAVE ALL UNDERGROUND UTILITIES MARKED IN THE FIELD PRIOR TO ANY CLEARING OR ANY CONSTRUCTION. THE CONTRACTOR SHALL ALSO VERIFY THE LOCATION, SIZE AND INVERT OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION. ANY UTILITY FOR WHICH NO EVIDENCE CAN BE SEEN ON THE SURFACE OF THE LANDS MAY NOT BE SHOWN ON THIS DRAWING.

IN NYCRR PART 753 REQUIRES 3 WORKING DAYS NOTICE PRIOR TO START OF ANY UNDERGROUND WORK

DIG SAFELY NEW YORK www.digsafelynewyork.com 1-800-962-7962

GRADING, UTILITIES AND EROSION CONTROL PLAN (SHEET 2 OF 5) FOR

FISHER

LOCATED IN VILLAGE OF SOUTH NYACK TOWN OF ORANGETOWN ROCKLAND COUNTY, NEW YORK

REV: PER COMMENTS - 09/19/2023

STEVEN M. SPARACO, PE
18 NORTH MAIN STREET
HARRIMAN, NEW YORK 10926
(845) 782-8545

STATE OF NEW YORK STEVEN MICHAEL SPARACO 079513 LICENSED PROFESSIONAL ENGINEER

SPARACO & YOUNGBLOOD, PLLC
CIVIL ENGINEERING * LAND SURVEYING
SITE PLANNING
18 NORTH MAIN STREET
P.O. BOX 818
HARRIMAN, N.Y. 10926
TEL: (845) 782-8545
FAX: (845) 782-5901
SPARACO.STEVE@SELSNY.COM WDYLS1@GMAIL.COM

FILE #	YB-6549
DATE	MAY 02, 2023
SCALE	1" = 10'

BID ITEM	Villa Drive Culvert Pipe Replacement				SHEET 1 OF 2
BID OPENING TIME	11:00AM			DATE	~~9/8/23~~ 9/11/23
CONTRACTOR NAME & ADDRESS	Environmental Construction Stony Point NY	Colonnelli HARRISON, NY	Morano Brothers Crotonon Hudson NY	Boyce Excavating Slate Hill, NY	Paulding Concrete Creations Mt. Vernon, NY
DATE RECEIVED	9/8/23	9/11/23	9/11/23	9/11/23	9/11/23
TIME RECEIVED	10:57A	10:18A	10:10A	10:06A	9:58 AM
NON COLLUSION STATEMENT	✓	✓	✓	✓	✓
BID BOND or CERTIFIED CHECK	✓	✓	✓	✓	✓

ITEM No. 201.06 Clearing and Grubbing Unit LS Est Qty 1

UNIT PRICE	$20772.00	$20,000.00	$17000.00	$19261.00	$12000.00
PRICE	$20772.00	$20,000.00	$17000.00	$19261.00	$12000.00

ITEM No. 202.120001 Removing Existing Superstructures Unit LS Est Qty 1

UNIT PRICE	$50000.00	$10000.00	$48076.00	$73,727.50	$25000.00
PRICE	$50000.00	$10000.00	$48076.00	$73,727.50	$25000.00

ITEM No. 203.03 Embankment in Place Unit CY Est Qty 220

UNIT PRICE	$40.00	$60.00	$76.00	$60.70	$90.00
PRICE	$8800.00	$13200.00	$16720.00	$13354.00	$19800.00

ITEM No. 203.07 Select Granular Fill Unit CY Est Qty 75

UNIT PRICE	$40.00	$60.00	$50.00	$113.70	$95.00
PRICE	$3000.00	$4500.00	$3750.00	$8527.50	$7125.00

ITEM No. 206.0201 Trench and Culvert Excavation Unit CY Est Qty 340

UNIT PRICE	$58.82	$10.00	$26.00	$59.80	$125.00
PRICE	$20000.00	$3400.00	$8840.00	$20332.00	$42500.00

ITEM No. 209.13 Silt Fence - Temporary Init LF Est Qty 500

UNIT PRICE	$7.80	$.01	$4.00	$9.80	$4.00
PRICE	$3900.00	$5.00	$2000.00	$4900.00	$2000.00

ITEM No. 209.1702 Drainage Structure Inlet Protection, Gravel Bag - Temporary Unit CY Est Qty 3

UNIT PRICE	$200.00	$1.00	$450.00	$205.25	$400.00
PRICE	$600.00	$3.00	$1350.00	$615.75	$1200.00

ITEM No. 304.12 Subbase Course Type 2 Unit CY Est Qty 100

UNIT PRICE	$100.00	$10.00	$170.00	$148.00	$105.00
PRICE	$10000.00	$1000.00	$17000.00	$14800.00	$10500.00

ITEM No. 402.128303 12.5 F3 Top Course HMA, 80 Series Compaction Unit Ton Est Qty 20

UNIT PRICE	$550.00	$250.00	$275.00	$536.90	$250.00
PRICE	11000.00	5000.00	5500.00	10738.00	5000.00

ITEM No. 402.198903 19 F9 Binder, Course HMA, 80 Series Compaction Unit Ton Est Qty 65

UNIT PRICE	230.76	200.00	270.00	314.95	250.00
PRICE	15000.00	13000.00	17550.00	20471.75	16250.00

ITEM No. 407.0103 Straight Tack Coat Unit Gal Est Qty 10

UNIT PRICE	300.00	10.00	28.00	14.34	20.00
PRICE	3000.00	100.00	280.00	143.40	200.00

ITEM No. 603.7309 Reinforced Concrete Pipe End Sections 36in Diameter unit Each Est Qty 2

UNIT PRICE	7500.00	12000.00	15000.00	6716.40	8900.00
PRICE	15000.00	24000.00	30000.00	13432.80	17800.00

BID ITEM Villa Drive Culvert Pipe Replacement **SHEET** 2 OF 2

BID OPENING TIME 11:00AM **DATE** ~~8/30/23~~ 9/11/23

CONTRACTOR NAME & ADDRESS	Environmental Construction Stony Point NY	Colonial Hackensack NJ	Morano Bros Cedar Knolls NJ	Boyce Excavating Slate Hill NY	Paladino Concrete Creation NY	
DATE RECEIVED						
TIME RECEIVED						
NON COLLUSION STATEMENT						
BID BOND or CERTIFIED CHECK						
ITEM No. 603.94023601 Furnish and Install Smooth Wall HDPE Pipe for Direct Burial Unit LF Est Qty 183						
UNIT PRICE	491.80	810.00	1400.00	439.35	195.00	
PRICE	90000.00	148234.00	256200.00	80401.05	35,685.00	
ITEM No. 604.070801 Altering Drainage Structures, Leaching Basins and Manholes Unit Each Est Qty 1						
UNIT PRICE	$5000.00	$25500.00	$1000.00	$2258.00	$1500.00	
PRICE	$5000.00	$25500.00	$1000.00	$2258.00	$1500.00	
ITEM No. 604.070802 Altering Drainage Structures, Leaching Basins and Manholes Unit Each Est Qty 1						
UNIT PRICE	$5000.00	$25,500.00	$1000.00	$2862.30	$1500.00	
PRICE	$5000.00	$25,500.00	$1000.00	$2862.30	$1500.00	
ITEM No. 604.300673 Rectangular Drainage Structure Type F for Cast Iron F3 Frame Unit LF Est Qty 28						
UNIT PRICE	$321.42	$1.00	$1900.00	$855.70	$1050.00	
PRICE	$9000.00	$28.00	$53200.00	$23959.60	$29400.00	
ITEM No. 607.41010010 Temporary Plastic Barrier Fence Unit LF Est Qty 50						
UNIT PRICE	$40.00	$.10	$6.00	$11.25	$5.00	
PRICE	$2000.00	$5.00	$300.00	$562.50	$250.00	
ITEM No. 619.01 Basic Work Zone Traffic Control Unit LS Est Qty 1						
UNIT PRICE	$8000.00	$10,000.00	$5000.00	$7746.25	$70,000.00	
PRICE	$8000.00	$10000.00	$5000.00	$7746.25	$70,000.00	
ITEM No. 625.01 Survey Operations Unit LS Est Qty 1						
UNIT PRICE	$9000.00	$1000.00	$18000.00	$7500.00	$23000.00	
PRICE	$9000.00	$1000.00	$18000.00	$7500.00	$23000.00	
ITEM No. 627.5014001 Cutting Pavement Unit LF Est Qty 60						
UNIT PRICE	$33.33	$2.00	$4.00	$9.70	$15.00	
PRICE	$2000.00	$120.00	$240.00	$582.00	$900.00	
ITEM No. 655.0706 Cast Frame F3, unmountable Curb Box CU3 & Reticuline Grate G3 Unit Each Qty 2						
UNIT PRICE	$3000.00	$1100.00	$3000.00	$4584.80	$2900.00	
PRICE	$6000.00	$2200.00	$6000.00	$9169.60	$5800.00	
SUBTOTAL	$	$306791.00	$509000.00	$335345.00	$327,410.00	
ITEM No. 699.0040001 Mobilization (Not to exceed 4% of Subtotal shown above)						
UNIT PRICE	$12378.00	$12000.00	$16000.00	$6800.00	$12000.00	
PRICE	$12378.00	$12000.00	$1600.00	$6800.00	$12,000.00	
TOTAL	$309,450.00	$318,791.00	$525,000.00	$342,145.00	$339,410.00	

BID ITEM	Villa Drive Culvert Pipe Replacement			SHEET	1 OF 2
BID OPENING TIME	11:00AM			DATE	~~9/11/23~~ 9/11/23
CONTRACTOR NAME & ADDRESS	Jorrey Excavating Middletown NY	VAD Construction White Plains NY	Ben Ciccone Poughkeepsie NY	Tony Casale Inc Yonkers NY	
DATE RECEIVED	9/11/23	9/11/23	9/11/23	9/11/23	
TIME RECEIVED	9:55A	9:44A	9:00AM	10:11AM	
NON COLLUSION STATEMENT	✓	✓	✓	✓	
BID BOND or CERTIFIED CHECK	✓	✓	✓	✓	
ITEM No. 201.06 Clearing and Grubbing Unit LS Est Qty 1					
UNIT PRICE	$ 70000.00	$ 10000.00	$ 40,000.00	$55,000.00	$
PRICE	$ 70000.00	$ 10000.00	$ 40,000.00	$ 55,000.00	$
ITEM No. 202.120001 Removing Existing Superstructures Unit LS Est Qty 1					
UNIT PRICE	$ 30,000.00	$ 30500.00	$ 1.00	$ 12,000.00	$
PRICE	$ 30,000.00	$ 30500.00	$ 1.00	$ 12,000.00	$
ITEM No. 203.03 Embankment in Place Unit CY Est Qty 220					
UNIT PRICE	$ 100.00	$ 125.00	$ 1.00	$ 110.00	$
PRICE	$ 22000.00	$ 27,500.00	$ 220.00	$ 24,200.00	$
ITEM No. 203.07 Select Granular Fill Unit CY Est Qty 75					
UNIT PRICE	$ 350.00	$ 120.00	$ 75.00	$ 110.00	$
PRICE	$ 26250.00	$ 9000.00	$ 15,625.00	$ 8250.00	$
ITEM No. 206.0201 Trench and Culvert Excavation Unit CY Est Qty 340					
UNIT PRICE	$ 500.00	$ 135.00	$ 1.00	$ 275.00	$
PRICE	$ 170000.00	$ 45900.00	$ 340.00	$ 93,500.00	$
ITEM No. 209.13 Silt Fence - Temporary Init LF Est Qty 500					
UNIT PRICE	$ 6.00	$ 22.75	$ 8.00	$ 2.00	$
PRICE	$ 3000.00	$ 11375.00	$ 4,000.00	$ 1,000.00	$
ITEM No. 209.1702 Drainage Structure Inlet Protection, Gravel Bag - Temporary Unit CY Est Qty 3					
UNIT PRICE	$ 100.00	$ 500.00	$ 100.00	$ 200.00	$
PRICE	$ 300.00	$ 1500.00	$ 300.00	$ 600.00	$
ITEM No. 304.12 Subbase Course Type 2 Unit CY Est Qty 100					
UNIT PRICE	$ 200.00	$ 120.00	$ 63.00	$ 180.00	$
PRICE	$ 20000.00	$ 12000.00	$ 6300.00	$ 18000.00	$
ITEM No. 402.128303 12.5 F3 Top Course HMA, 80 Series Compaction Unit Ton Est Qty 20					
UNIT PRICE	$ 300.00	$ 180.00	$ 459.00	$ 275.00	$
PRICE	6000.00	3600.00	9180.00	5,500.00	
ITEM No. 402.198903 19 F9 Binder, Course HMA, 80 Series Compaction Unit Ton Est Qty 65					
UNIT PRICE	275.00	160.00	225.00	275.00	
PRICE	17,875.00	10400.00	14625.00	17,875.00	
ITEM No. 407.0103 Straight Tack Coat Unit Gal Est Qty 10					
UNIT PRICE	1000	75.00	15.00	5.00	
PRICE	100.00	750.00	150.00	50.00	
ITEM No. 603.7309 Reinforced Concrete Pipe End Sections 36in Diameter unit Each Est Qty 2					
UNIT PRICE	10000.00	10070.00	13,000.00	4,500.00	
PRICE	20,000.00	20140.00	26,000.00	9,000.00	

BID ITEM Villa Drive Culvert Pipe Replacement **SHEET** 2 OF 2

BID OPENING TIME 11:00AM **DATE** ~~8 Sept 23~~ 5/11/23

CONTRACTOR NAME & ADDRESS	Jose's Excavating Middletown NY	JAD Construction White Plains NY	Bon Ciccone Poughkeepsie NY	Tony Costello Inc Yonkers NY		
DATE RECEIVED						
TIME RECEIVED						
NON COLLUSION STATEMENT						
BID BOND or CERTIFIED CHECK						
ITEM No. 603.94023601 Furnish and Install Smooth Wall HDPE Pipe for Direct Burial Unit LF Est Qty 183						
UNIT PRICE	400.00	150.00	571.00	$ 110.00		
PRICE	73,200.00	2745.00	104,493.00	$ 20,130.00		
ITEM No. 604.070801 Altering Drainage Structures, Leaching Basins and Manholes Unit Each Est Qty 1						
UNIT PRICE	$1000.00	$ 750.00	$6000.00	$ 500.00	$	
PRICE	$1000.00	$ 750.00	$6000.00	$ 500.00	$	
ITEM No. 604.070802 Altering Drainage Structures, Leaching Basins and Manholes Unit Each Est Qty 1						
UNIT PRICE	$1000.00	$ 750.00	$ 4,000.00	$ 500.00	$	
PRICE	$1000.00	$ 750.00	$ 4,000.00	$ 500.00	$	
ITEM No. 604.300673 Rectangular Drainage Structure Type F for Cast Iron F3 Frame Unit LF Est Qty 28						
UNIT PRICE	$1600.00	$ 382.50	$ 900.00	$ 1100.00	$	
PRICE	$44800.00	$10696.00	$25,200.00	$ 30,800.00	$	
ITEM No. 607.41010010 Temporary Plastic Barrier Fence Unit LF Est Qty 50						
UNIT PRICE	$ 20.00	$ 22.50	$ 10.00	$ 6.00	$	
PRICE	$1000.00	$ 1125.00	$ 500.00	$ 300.00	$	
ITEM No. 619.01 Basic Work Zone Traffic Control Unit LS Est Qty 1						
UNIT PRICE	$25,000.00	$ 18000.00	$ 75,000.00	$ 20,000.00	$	
PRICE	$25,000.00	$ 18000.00	$75,000.00	$ 20,000.00	$	
ITEM No. 625.01 Survey Operations Unit LS Est Qty 1						
UNIT PRICE	$12,000.00	$ 10000.00	$25,000.00	$ 5000.00	$	
PRICE	$12,000.00	$ 10000.00	$25,000.00	$ 5000.00	$	
ITEM No. 627.5014001 Cutting Pavement Unit LF Est Qty 60						
UNIT PRICE	$ 4	$ 42.50	$ 14.00	$ 5.00	$	
PRICE	$ 240.00	$ 2550.00	$ 840.00	$ 300.00	$	
ITEM No. 655.0706 Cast Frame F3, unmountable Curb Box CU3 & Reticuline Grate G3 Unit Each Qty 2						
UNIT PRICE	$2500.00	$ 825.00	$2500.00	$ 2500.00	$	
PRICE	$ 5000.00	$1650.00	$5000.00	$ 5000.00	$	
SUBTOTAL	$ 548,725.00	$283986.00	$352,774.00	$327,505.00	$	
ITEM No. 699.0040001 Mobilization (Not to exceed 4% of Subtotal shown above)						
UNIT PRICE	$20000.00	$ 8500.00	$13,000.00	$10,495.00	$	
PRICE	$20000.00	$ 8500.00	$13,000.00	$10,495.00	$	
TOTAL	$568,725.00	$292,486.00	$365,774.00	$338,000.00	$	

RECEIVED
SEP 18 2023
TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

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

PERMIT # 23-SP-047

EVENT NAME: Colonial Day - Tappantown Historical Society

APPLICANT NAME: Carol LaValle, President

ADDRESS: 73 Main St Tappan, NY 10983

PHONE #: 845-359-1923 CELL # 845-826-6075 FAX # —

CHECK ONE: PARADE _____ RACE/RUN/WALK _____ OTHER ✓

The above event will be held on Sept. 30 from 8am to 6pm RAIN DATE: None

Location of event: DeWint House, 20 Twomsston St. Tappan, NY. 10983

Sponsored by: Tappantown Hist. Society Telephone #: 845-359-1923

Address: P.O. Box 71, Tappan, NY 10983

Estimated # of persons participating in event: 500+ vehicles 100+

Person (s) responsible for restoring property to its original condition: Name-Address-Phone #:

THS Bd. of Directors (Carol LaValle) 845-359-1923.

Signature of Applicant: Carol LaValle Date: 9/18/23

GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS/POLICE)

Letter of Request to Town Board requesting aid for event – Received On: 9/18/23

Certificate of Insurance – Received On: 9/19/23

FOR HIGHWAY DEPARTMENT USE ONLY:

Road ~~Closure~~ use/Restrict Parking Permit: Y / (N) – Received On: 9/18/23

Rockland County Highway Dept. Permit: Y / (N) – Received On: X

NYSDOT Permit: Y / (N) – Received On: X

Route/Map/Parking Plan: Y / (N) – Received On: X

RFS #: 56701 BARRICADES: Y (N) CONES: Y / (N) TRASH BARRELS: Y / (N) OTHER: 6 metal recycling Kiosks

APPROVED: [signature] 9.19.23 DATE: _____
Superintendent of Highways

m 09/19/23

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: _____
Superintendent of Parks & Recreation

FOR POLICE DEPARTMENT USE ONLY:

Police Detail: Y (N) Not requested Items: No parking signs

APPROVED: [signature] DATE: 9/25/23
Chief of Police

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

Workshop Agenda Date: _____ Approved On: _____ TBR #: _____

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

SEP 18 2023

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

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

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

ROAD USE PERMIT APPLICATION
Section 139 Highway Law

NAME Carol LaValle DATE 9/18/23

COMPANY Tappantown Historical Society

ADDRESS P.O. Box 71, Tappan, NY. 10983

TELEPHONE 845-35-1923 cell: 845-826-6075

(INCLUDE 24 HOUR EMERGENCY NUMBERS)

ABOVE MENTIONED PARTY REQUESTS PERMISSION TO ~~USE.~~ Restrict Parking

West side N. Thompson St. Tappan
(Address number and name of road)

North: Oak Tree Rd. South: Route 303
(Intersecting streets and/or description of exact location)

REASON FOR USE Colonial Day

DATE OF USE Sept. 30 RAIN DATE None

TIME ROAD WILL BE USED 8 am - 6 pm

WILL ROAD BE OPEN TO LOCAL TRAFFIC? yes

WILL ROAD BE OPEN TO EMERGENCY VEHICLES? yes

PLEASE PROVIDE A DETAILED MAP AND DESCRIPTION OF DETOUR IF TRAVEL WILL BE RESTRICTED.

PRELIMINARY APPROVAL 9.19.23 DATE
JAMES J. DEAN
SUPERINTENDENT OF HIGHWAYS
MD 9/19/23

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

RECEIVED

SEP 18 2023

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

Orangetown Town Board
26 Orangeburg Road
Orangeburg, N.Y. 10962

September 18, 2023

Dear Supervisor Kenny,

On behalf of the Tappantown Historical Society Board of Directors, I am requesting the use of six metal recycling kiosks from the Orangetown Highway Department for Colonial Day on September 30, 2023, from 8am to 5pm on the DeWint House grounds on Livingston Ave. in Tappan. Over the years, they have been a most valuable aid in maintaining the grounds and facilitating clean-up at the end of the day.

We are also requesting that the Orangetown Police Department put up "No Parking" signs on the west side of Livingston Street between Oak Tree Road to the north and Route 303 to the the south from 8am to 5pm on September 30 so that traffic can move safely and pedestrians parking On the neighboring streets are able to walk safely to the grounds, where there is limited parking available.

Attached are the insurance certificate and forms for the kiosks and parking restrictions.

Thank you for your help in making Colonial Day a safe and successful event.

Yours truly,

Carol LaValle, president
clavalle196@gmail.com
845-359-1923

Cc. James Dean, Superintendent of Highways

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 09/18/2023

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).

PRODUCER
Bauer-Crowley, Inc.
643 Main Street
PO Box 358
Sparkill NY 10976-0358

RECEIVED
SEP 19 2023
TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

CONTACT NAME: House Account
PHONE (A/C, No, Ext): (845) 359-4114 FAX (A/C, No): (845) 359-4684
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Hartford Fire Insurance Co.	19682
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Tappantown Historical Society
PO Box 71
Tappan NY 10983

COVERAGES **CERTIFICATE NUMBER:** CL2391815274 **REVISION NUMBER:**

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 INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC OTHER:			16SBAVR4550	06/17/2023	06/17/2024	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 2,000,000 $ 300,000 $ 10,000 $ 2,000,000 $ 4,000,000 $ 4,000,000
	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $						EACH OCCURRENCE AGGREGATE	$ $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N [ ] N/A If yes, describe under DESCRIPTION OF OPERATIONS below						[ ] 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)

RE: Colonial Day; September 30, 2023. From 8:00 AM to 6:00 PM.

CERTIFICATE HOLDER

Town of Orangetown
26 Orangeburg Road
Orangeburg NY 10962

CANCELLATION

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

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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 * 2023 Cert of Ins - Town Of Orangetown.PDF 67.99KB

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 Aric Gorton at agorton@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 *
Traubenfest 2023

Event Location Name *
German Masonic Park

Event Address *
Street Address
89 Western Highway South
Address Line 2
City
Tappan
State / Province / Region
NY
Postal / Zip Code
10983
Country
US

Setup Date & Time *
9/30/2023
10:00:00 AM

Take-Down Date & Time *
10/2/2023
12:00:00 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.
As per previous year setup please, thank you.

Placement *
- ◉ Pavement
- ○ Grass/Field
- ○ Other

Applicant Information

Applicant's Name *
Christopher Johnson

Organization Name *
Noble Ninth Inc

Organization Address *
149-39 11th Ave

Organization City *
Whitestone

Organization State *
NY

Phone (w) *
845-304-0269

Phone (c) *
845-304-0269

Email *
unionjobissues@gmail.com

Signature *

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

8/14/2023

02:04:56 PM

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 08/07/2023

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).

PRODUCER	CONTACT NAME: Paul Krause	
Wilkinson & Krause Agency Inc 75B Montauk Hwy Blue Point, NY 11715	PHONE (A/C, No, Ext): 631-567-1111	FAX (A/C, No): 631-218-3411
	E-MAIL ADDRESS: Info@5starcoverage.com	

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Scottsdale Insurance Company	
INSURER B : United States Liability Insurance Co	
INSURER C : Pacific Employers Insurance Company	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED

The Noble Ninth Inc
149-39 11th Avenue
Whitestone, NY 11357

COVERAGES **CERTIFICATE NUMBER: 10002707-997381** **REVISION NUMBER: 5**

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 INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY	Y		CPS4018125	10/19/2022	10/19/2023	EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 3,000,000
	X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ EXCLUDED
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
B	X UMBRELLA LIAB X OCCUR			XL1581858E	10/05/2022	10/05/2023	EACH OCCURRENCE	$ 2,000,000
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$ 2,000,000
	DED RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	N / A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
A	Liquor Liability			CPS4018125	10/19/2022	10/19/2023		1,000,000/2,000,000
C	Directors/Officers			NFPNYF137986553-006	12/02/2022	12/02/2023		5,000,000

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

Certificate holder is named as additional insured, ATIMA.

CERTIFICATE HOLDER

Town Of Orangetown
26 Orangeburg Road
Orangeburg, NY 10962

CANCELLATION

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

(PBK)

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

PERMIT # 23-SP-043

RECEIVED
AUG 24 2023
TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

EVENT NAME: Tappan Reformed Church Fall Fling

APPLICANT NAME: Taryn Doyle

ADDRESS: 32 old Tappan Road, Tappan

PHONE #: 845-359-1694 CELL # 516-521-0771 FAX # _____

CHECK ONE: PARADE _____ RACE/RUN/WALK _____ OTHER ✓ Fall Festival

The above event will be held on Sat 10/21/23 from 1:00 to 7:00 RAIN DATE: 10/22/23

Location of event: 32 old Tappan Road, Tappan NY

Sponsored by: Tappan Reformed Church Telephone #: 845-359-1694

Address: 32 old Tappan Road, Tappan NY

Estimated # of persons participating in event: 300 vehicles _____

Person (s) responsible for restoring property to its original condition: Name-Address-Phone #:

Tappan Reformed Church · 32 old Tappan Rd. (845)359-1694

Signature of Applicant: Taryn Doyle Date: 8/11/23

GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS/POLICE)

Letter of Request to Town Board requesting aid for event – Received On: 8/24/23

Certificate of Insurance – Received On: 8/24/23

FOR HIGHWAY DEPARTMENT USE ONLY:

Road Closure Permit: (Y) / N – Received On: 8/24/23

Rockland County Highway Dept. Permit Y / (N) Received On: X

NYSDOT Permit: Y / (N) – Received On: X

Route/Map/Parking Plan: (Y) / N - Received On: 8/24/23

RFS #: 58115 BARRICADES: (Y) / N CONES: Y / (N) TRASH BARRELS: (Y) / N OTHER: Message Boards
Highway Personnel / Bags + Birds

APPROVED: James Dean 8.28.23 DATE: 8.25.23
Superintendent of Highways

FOR PARKS & RECREATION DEPARTMENT USE ONLY:

Show Mobile: Y / (N) Application Required: — Fee Paid – Amount/Check # —

Port-o-Sans: (Y) / N: on file Other: —

APPROVED: [signature] DATE: 8/30/23
Superintendent of Parks & Recreation

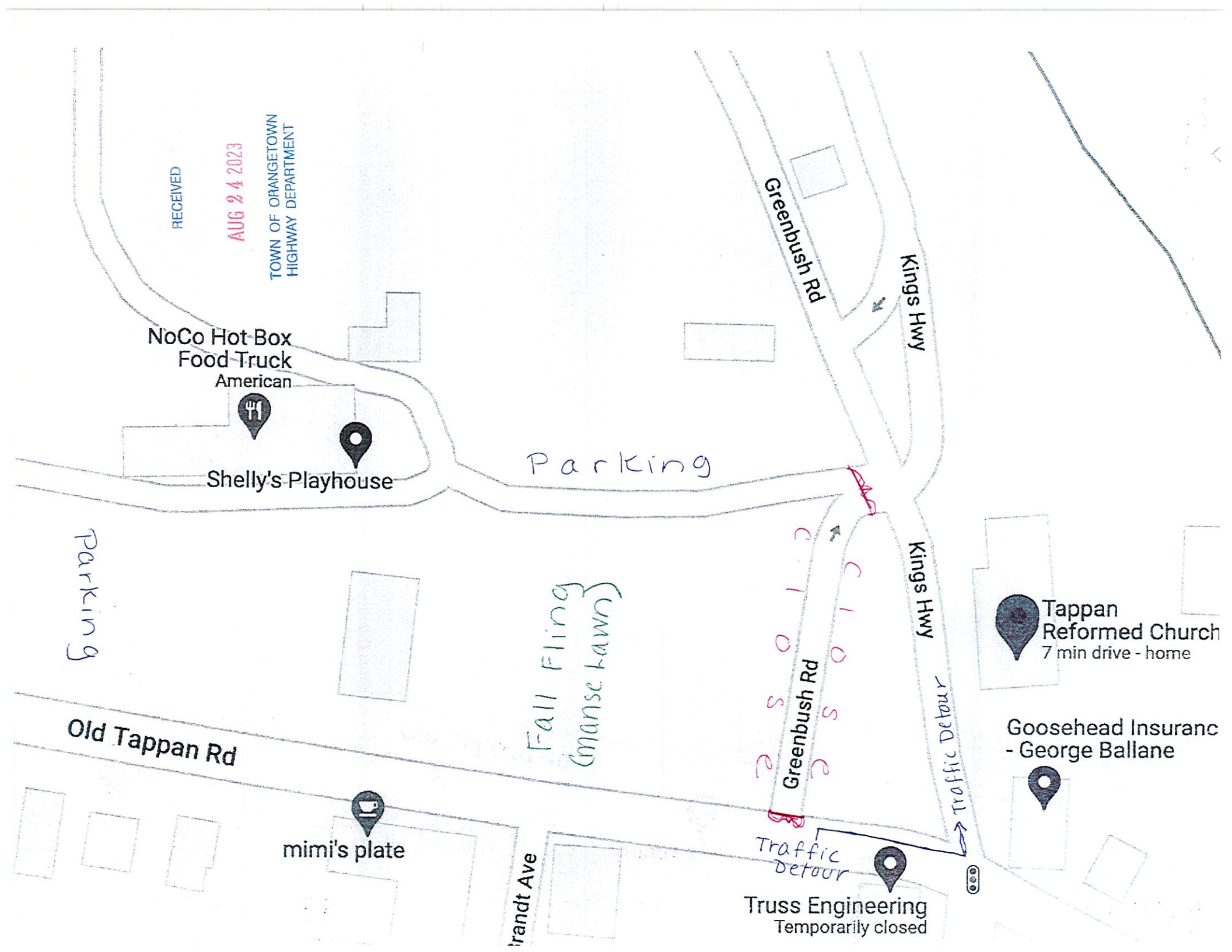
FOR POLICE DEPARTMENT USE ONLY:

Police Detail: (Y) / N: Bus. Police Items: _____

APPROVED: Sgt. ML DATE: 8/31/23
Chief of Police

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

Workshop Agenda Date: _____ Approved On: _____ TBR #: _____


RECEIVED
AUG 24 2023
TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT
Greenbush Rd
Kings Hwy
NoCo Hot Box
Food Truck
American
Shelly's Playhouse
Parking
Parking
Fall Fling
(mansc Lawn)
Old Tappan Rd
mimi's plate
Greenbush Rd
Kings Hwy
Tappan
Reformed Church
7 min drive - home
Goosehead Insuranc
- George Ballane
Traffic Detour
Traffic Detour
Truss Engineering
Temporarily closed

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

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

RECEIVED
AUG 24 2023
TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

ROAD CLOSING PERMIT APPLICATION
Section 139 Highway Law

NAME Taryn Doyle DATE 8/11/23

COMPANY Tappan Reformed Church

ADDRESS 32 old Tappan Rd., Tappan NY

TELEPHONE (516) 521-0771 (Taryn-cell)
(INCLUDE 24 HOUR EMERGENCY NUMBERS)

ABOVE MENTIONED PARTY REQUESTS PERMISSION TO CLOSE:

Greenbush Road
(Address number and name of road)
one-way section of road
Between old Tappan Rd & Kings Highway- In front of TRC manse Lawn
(Intersecting streets and/or description of exact location)

REASON FOR CLOSING Tappan Reformed Church Fall Fling

DATE OF CLOSING Sat oct 21, 2023 RAIN DATE Sun 10/22/23
TIME ROAD WILL BE CLOSED 9am - 8pm
WILL ROAD BE OPEN TO LOCAL TRAFFIC? No
WILL ROAD BE OPEN TO EMERGENCY VEHICLES? NO

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

PRELIMINARY APPROVAL James J. Dean 8-28-23 8-25-23 DATE
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

8/11/23

RECEIVED

AUG 24 2023

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

To The Orangetown Town Board,

As Deacon at the Tappan Reformed Church, our next community event that I will be organizing is the Tappan Reformed Church Fall Fling. We plan on having the Fall Fling on **Saturday, October 21, 2023 from 1:00 pm until 7:00 pm.** The rain date is scheduled for the next day, Sunday, October 22, 2023 at the same time. We will be using the TRC Manse Lawn at 32 Old Tappan Road in Tappan for a fun day with children's activities, pumpkin sales, hay rides, vendors, and more.

I am kindly requesting the following for our event:

- Road closure of the one way section of Greenbush Road directly in front of the Lawn (from Old Tappan Road to Kings Highway at the beginning of the cemetery) from 9:00am to 8:00pm in order to allow for safe setup and breakdown of the Fall Fling event.
- 15 garbage cans for the site.
- Auxiliary police to be available during the event 1-7pm to assist with traffic and pedestrian crossings.
- Digital sign by the Tappan Reformed Church advertising the TRC Fall Fling, 10/21, 1:00-7:00, on the Manse Lawn.
- 3 port-a-potties from the Parks & Recreation Department to be placed on site (I will fill out online form for this, as well).
- Highway Department to be present for part of the event (1:00-5:00pm, if possible) and have recycle bins and the leaf bags available to residents.

I appreciate your consideration of these requests and am available for any questions or concerns you may have at (516) 521-0771.

Sincerely,

Taryn M. Doyle

Mrs. Taryn Doyle
92 Monmouth Court
Orangeburg, NY 10962

70TAPPAAPP ROBAR1

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 8/22/2023

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.

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PRODUCER Emery & Webb, Inc. 989 Main Street Fishkill, NY 12524 RECEIVED AUG 24 2023	CONTACT NAME: PHONE (A/C, No, Ext): (845) 896-6727 FAX (A/C, No): (845) 896-6877 E-MAIL ADDRESS:
	INSURER(S) AFFORDING COVERAGE — NAIC #
	INSURER A : Northfield Insurance Company
INSURED Tappan Reformed Church Attn: Pastor Donald Hoover / 28 Old Tappan Road Tappan, NY 10983-2432 TOWN OF ORANGETOWN HIGHWAY DEPARTMENT	INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

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 INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE [X] OCCUR	X		WS548507	6/1/2023	6/1/2024	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	POLICY [ ] PRO-JECT [ ] LOC						PRODUCTS - COMP/OP AGG	$ 1,000,000
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB [ ] OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB [ ] CLAIMS-MADE						AGGREGATE	$
	DED [ ] RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						PER STATUTE [ ] OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] (Mandatory in NH)	N / A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						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)
Certificate Holder is listed as an Additional Insured for General Liability with respect to the named Insured's Fall Fling Event on October 21-22, 2023.

CERTIFICATE HOLDER

Town of Orangetown
26 Orangeburg Rd.
Orangeburg, NY 10962

CANCELLATION

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

J. C. Q. III

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Town of Orangetown

DATE: September 26, 2023

WARRANT

Warrant Reference	Warrant #		Amount
Approved for payment in the amount of			
	090823	**$**	**1,242,397.19**
	092623	**$**	**1,061,919.57**
		$	**2,304,316.76**

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

APPROVAL FOR PAYMENT

AUDITING BOARD

Councilman Gerald Bottari

Councilman Paul Valentine

Councilman Thomas Diviny

Councilman Brian Donohue

Supervisor Teresa M. Kenny

TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM

TO: THE TOWN BOARD

FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*

SUBJECT: AUDIT MEMO

DATE: 9/21/2023

CC: DEPARTMENT HEADS

The audit for the Town Board Meeting of 9/26/2023 consists of 2 warrants for a total of $2,304,316.76.

The first warrant had 51 vouchers for $1,242,397 and had the following items of interest.

1. Crown, Castle Fiber (p1) - $6,748 for connectivity.
2. NYPA (p6) - $23,192 for streetlight conversion.
3. NYS Dept. of Civil Service (p6) - $926,594 for H/C benefits.

The second warrant had 130 vouchers for $1,061,919 and had the following items of interest.

1. Bolkema Fuel Co. (p7) - $7,702 for fuel.
2. Capasso & Son (p8) - $90,817 for recycling.
3. Christmas Lighting of NY (p8) - $7,450 for Pearl River Xmas lights.
4. Cotter, Michael (p10) - $10,450 for title searches.
5. Dell Marketing (p11) - $104,521 for Microsoft 365 conversion.
6. ESI (p12) - $7,421 for EAP services.
7. Fred Devens Construction (p16) - $207,860 for Tier IV PS.
8. Gall’s Inc. (p17) - $6,063 for Police equipment.
9. Global Montello (p18) - $23,074 for fuel.
10. Goosetown Enterprises (p18) - $11,050 for Police leases.
11. Kuehne Chemical Co. (p23) - $15,675 for sewer chemicals.
12. Mediastar (p26) - $8,375 for IT support.
13. NYSID (p29) - $5,258 for scanning.

14. Pace Analytical Services (p32) - $19,346 for sewer testing.
15. Peckham Road Corp. (p33) - $344,037 for pavement preservation program.
16. State Comptroller (p41) - $35,621 for Justice fines.
17. Tilcon (p44) - $24,348 for Highway materials.
18. Virtuit Systems (p47) - $7,055 for IT maintenance agreement.
19. Vortex USA (p47) - $14,895 for splashpad retainage payout.
20. Zarin & Steinmetz (p49) - $11,149 for outside counsel.

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

Jeffrey W. Bencik, CFA

845-359-5100 x2204