

ZONING BOARD OF APPEALS

Town of Orangetown

20 Greenbush Road

Orangeburg, New York 10962

(914) 359-8410 (ex. 4331)

Date: January 19, 2024

TO: OBAPAE

Environmental Management and Engineering

✓ Rockland County Sewer District #1

✓ New York State Dept. of Transportation

Palisades Interstate Park Commission

Orange and Rockland Utilities

Orangetown Highway

Rockland County Drainage

Rockland County Health ✓

Rockland County Planning ✓

Rockland County Highway ✓

Review of Plans: Imperial Sports, 64 Route 303, Tappan, NY

Section 77.15 Block 1 Lot 42 CS zone

This matter is scheduled for:

Renewal of a Special permit that was granted in ZBA#18-90: Application of Imperial Sports for a Renewal of a Special Permit from Zoning Code (Chapter 43) of the Town of Orangetown Code, CS District, Section 3.11, Column 3 #8 (Other retail /Services: Karaoke Room and Kitchen) which has been in existence since 11/01/2016 and the applicant is requesting a renewal as required by Certificate of Occupancy #41860. The premises are located at 64 Route 303, Tappan, New York and are identified on the Orangetown Tax Map as Section 77.15, Block 1, Lot 42; in the CS zoning district. (Decision stamped January 22, 2019)

Please review the information enclosed and provide comments. These comments may be mailed by February 21, 2024, e-mailed or faxed to the Zoning Board Office.

If your Agency does not have any comments at this time, please respond to this office by sending back this sheet.

- US Postal: 20 South Greenbush Road, Orangeburg, NY 10962
- Email to Zoning Board: darbolino@orangetown.com or
- Fax to the Town of Orangetown ZBA @845 359 8526

Zoning Board Meeting Date: February 21, 2024

() Comments attached

() No Comments at this time. Please send future correspondence for review.

() No future correspondence for this site should be sent to this agency. Plans reviewed and this agency does not have any further comments.

() This project is out of the jurisdiction of this agency and has no further comments.

This project is before the Zoning Board on **Wednesday, February 21, 2024**. **Kindly forward your completed review to this office by February 21, 2024.**

Reviewing Agency _____

Name _____ date: _____

Signature: _____

Thank you, Deborah Arbolino

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: 1/12/24

Please check all that apply:

<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Residential
<input checked="" type="checkbox"/> Planning Board	<input type="checkbox"/> Historical Board
<input checked="" type="checkbox"/> Zoning Board of Appeals	<input type="checkbox"/> Architectural Board
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Consultation
<input type="checkbox"/> Number of Lots	<input type="checkbox"/> Pre-Preliminary/Sketch
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary
<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Final
<input type="checkbox"/> Special Permit	<input type="checkbox"/> Interpretation
<input type="checkbox"/> Variance	
<input type="checkbox"/> Performance Standards Review	
<input type="checkbox"/> Use Variance	
<input type="checkbox"/> Other (specify): _____	

PERMIT#: _____

ASSIGNED _____

INSPECTOR: _____

Referred from Planning Board: YES / NO
If yes provide date of Planning Board meeting: _____

Project Name: Imperial Sports Renewal

Street Address: 64 Route 303 South, Tappan, NY 11983

Tax Map Designation:

Section: 77.15 Block: 1 Lot(s): 42
Section: _____ Block: _____ Lot(s): _____

Directional Location:

On the West side of 303, approximately
100 feet South of the intersection of Oak Tree Road, in the
Town of Orangetown in the hamlet/village of Tappan.

Acreage of Parcel 2.57
School District So (51)
Ambulance District SOAC
Water District SUEZ

Zoning District CS
Postal District Tappan
Fire District Tappan
Sewer District Orangetown

Project Description: (If additional space required, please attach a narrative summary.)

Renewal of Special Permit granted in ZBA # 18-90

The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.

Date: 1/11/24 Applicant's Signature: _____

JAN 12 2024

APPLICATION REVIEW FORM

FILL IN WHERE APPLICABLE.

(IF THE FOLLOWING DOES NOT APPLY PLEASE MOVE ON TO THE NEXT PAGE)

If subdivision:

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ____ If so, what amount? _____
- 3) Is this a standard or average density subdivision? _____

If site plan:

- 1) Existing square footage _____
- 2) Total square footage _____
- 3) Number of dwelling units _____

If **special permit**, list special permit use and what the property will be used for.

Renewal of ZBA#18-90, renew Special Permit (Other Retail Services Karaoke and mini kitchen)

Environmental Constraints:

Are there **slopes greater than 25%**? If yes, please indicate the amount and show the gross and net area _____

Are there **streams** on the site? If yes, please provide the names. _____

Are there **wetlands** on the site? If yes, please provide the names and type: _____

Project History:

Has this project ever been reviewed before? ZBA #18-90

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

On January 2, 2019, ZBA #18-90 was approved. The applicant and I, Daniel Km,
appeared on December 5, 2018 and January 2, 2019.

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

77.15, Block 1, Lot 42

Clerk of Boards Review:

Date: _____ Initials: _____

Building Dept. (Accepted By):

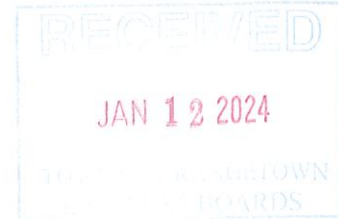
Date: _____ Initials: _____

ENTITY DISCLOSURE FORM

TOWN OF ORANGETOWN
Office of Building, Zoning, Planning Administration and Enforcement (OBZPAE)
20 Greenbush Road
Orangeburg, New York 10962
Tel: (845) 359-8410 ext. 4330
Website: www.orangetown.com

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

PROJECT NAME: Imperial Sports Renewal
PROPERTY ADDRESS: 64 Route 303 South, Tappan, NY 11983
TAX LOT ID: 77.15, Block 1, Lot 42
NAME OF APPLICANT: Imperial Sports One Inc.
OWNER OF PROPERTY: By Andrian Lim, President and sole shareholder of Imperial Sports One Inc.
Land Use Application/Brief Description of Project: Renewal of special permit granted in ZBA # 18-90



PART ONE:

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

Name of Entity:	Imperial Sports One Inc.
Address:	64 Route 303 South, Tappan, NY 11983
Telephone Number:	(201) 741-1114
Email Address:	danieldkimlaw@gmail.com
State/Date of Formation:	NY
Contact Person:	Daniel Kim, Esq.

PART TWO:

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

Name of Individual	Address	Telephone	Email	Interest or Role in Entity
1. Adrian Lim	c/o Daniel D. Kim, P.C.	201-741-1114	danielkimlaw@gmail.com	Sole shareholder, President
2.	416 E. Central Blvd.,			
3.	Palisades Park, NJ 07650			
4.				
5.				
6.				

PART THREE:


10. Is any person identified in Part TWO currently employed by or hold a paid or unpaid position with a department, agency or land use board of the Town of Orangetown? Please circle: YES ☐ NO ☒
11. Is any person identified in PART TWO the spouse, sibling, parent, child, or grandchild of any individual who is employed by or holds a paid or unpaid position with a department, agency or land use board of the Town of Orangetown? Please circle: YES ☐ NO ☒
12. Does any person identified in PART TWO perform services for or have a contract, or employed by an entity that has a contract to perform services for the Town of Orangetown? Please circle: YES ☐ NO ☒
13. If the answer is "YES" to any of the above, please provide a supplement sheet and list every Board, Department, Office, agency or other position with the Town of Orangetown in which the party has a position, paid or unpaid, or provides services for, and identify the agency, title and date of hire.

PART FOUR:

14. The information contained herein shall be updated with the Town of Orangetown Office of Building Clerk and Clerk of the Boards no later than THIRTY (30) DAYS after any change in information.
15. NOTE: Any person who (a) provides false or fraudulent beneficial ownership information; (b) willfully fails to provide complete or updated information; or (c) during the application process, fails to obtain or maintain credible, legible and updated beneficial ownership information shall be subject to suspension of any pending application by the applicant entity, or a "stop work" order on any work relating to the application, or both, in addition to any other applicable penalties under the Town Code, or State and Federal Statute, or both.

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

I, Adrian Lim, being duly sworn, deposes and says that I am (Title)
President, an active or qualified member of the Imperial Sports One Inc.,
a business duly authorized by law to do business in the State of New York, and that the statements made in the foregoing
Affidavit are true, accurate and complete. I further understand that Land Use Applications may have a significant impact
upon the health, safety and general welfare of the Town of Orangetown and its inhabitants and visitors; and that the
Town Board is required to be certain that anyone with an interest or controlling position of an Entity, who applies for any
land use approval or permission must have no conflict of interest as that term is described in NYS Town Law, as well as
NYS General Municipal Law, and that the disclosure of any officers, directors, members, shareholders, managers,
authorized persons, beneficial owners, any other controlling parties with the above entity, and all persons with a
membership or voting interest in the entity is required to be made in any land use application or request for any approval
from the Town, to be certain no conflict of interest exists and without the disclosure, a full review of any conflict cannot
take place.


Adrian Lim Signature

Sworn to and subscribed in my presence

This 11th day of January, 2024


NOTARY PUBLIC

Daniel D. Kim, Attorney In New Jersey

VIS	PRINT KEY	NAME	ADDRESS
2489	77.15-1-11	Jacob Tanenbaum	35 Livingston St, Tappan, NY 10983
2489	77.15-1-12	Thomas P Derasmo	29 Livingston St, Tappan, NY 10983
2489	77.15-1-13	Bradley Gallin	25 Livingston St, Tappan, NY 10983
2489	77.15-1-14	Richard Addressi	13 Livingston Av, Tappan, NY 10983
2489	77.15-1-15	Maike Rahn	11 Livingston St, Tappan, NY 10983
2489	77.15-1-16	Willy Outlaw	77 Oak Tree Rd, Tappan, NY 10983
2489	77.15-1-17	John Hennessy	83 Hunt Rd, Pearl River, NY 10965
2489	77.15-1-18	John Neill	91 Oak Tree Rd, Tappan, NY 10983
2489	77.15-1-19	Barbara Weber	97 Oak Tree Rd, Tappan, NY 10983
2489	77.15-1-20	Joseph J Gannon	101 Oak Tree Rd, Tappan, NY 10983
2489	77.15-1-21	Beverly Mitcham	111 Oak Tree Rd, Tappan, NY 10983
2489	77.15-1-22	State Line Plaza Inc	445 South St Fl 1, Morristown, NJ 07960
		CBRE - Lena Walder	
2489	77.15-1-23	State Line Plaza Inc	445 South St Fl 1, Morristown, NJ 07960
		CBRE - Lena Walder	
2489	77.15-1-24	Tappnnn LLC	81 Rte 303, Tappan, NY 10983
2489	77.15-1-25	James F Dahl	165 Oak Tree Rd, Tappan, NY 10983
2489	77.15-1-36	LUS Licensing LLC	3500 S Clark St, Arlington, VA 22202
2489	77.15-1-37	Benbrooke Tappan LLC	P.O. Box 2155, Haddonfield, NJ 08033
2489	77.15-1-40	30 Birch Tree Inc	537 Rte 303, Orangeburg, NY 10962
2489	77.15-1-41	Tran Holdings LLC	611 S DuPont Hwy Ste 102, Dover, DE 19901
2489	77.15-1-42	62-76 Route 303 LLC	10 Mc Kinley St Ste 10, Closter, NJ 07624
		LB Commercial Realty LLC	
2489	77.15-1-43	State Line Plaza Inc	445 South St Fl 1, Morristown, NJ 07960
		CBRE - Lena Walder	
2489	77.15-1-44	28 Route 303 Realty Corp	28 Rte 303, Tappan, NY 10983
2489	77.15-1-45	Apollo Works Corporation	16 Rte 303, Tappan, NY 10983
2489	77.15-1-46	303 Daniel LLC	4 Rte 303, Tappan, NY 10983
2489	77.15-1-48	Ha Nguyen	79 Livingston St, Tappan, NY 10983
2489	77.15-1-49	Sang Hee Park	71 Livingston Av, Tappan, NY 10983
2489	77.15-1-50	Victor Alex Saint	63 Livingston Av, Tappan, NY 10983
2489	77.15-1-51	Joseph C Rutkowski	55 Livingston Av, Tappan, NY 10983
2489	77.15-1-52	David Miller	47 Livingston Av, Tappan, NY 10983
2489	77.15-1-53	Evrin Can	41 Livingston St, Tappan, NY 10983
2489	77.15-1-54	Harry Perez	38 Livingston St, Tappan, NY 10983
2489	77.15-1-55	Michael Roach	44 Livingston St, Tappan, NY 10983
2489	77.15-1-56	Gertrude F Bohr	50 Livingston St, Tappan, NY 10983
2489	77.15-1-57	Essa Jallad	58 Livingston St, Tappan, NY 10983
2489	77.15-1-58	Lauretta O'Neill	66 Livingston St, Tappan, NY 10983
2489	77.15-1-59	Christopher A Kologe	74 Livingston St, Tappan, NY 10983
2489	77.15-1-60	James R Spahn	12880 Cinquetown Dr, Venice, FL 34293
2489	77.15-2-2	Mitchell Shapiro	38 Jane St, Tappan, NY 10983
2489	77.15-2-3	James Mc Cauley	P.O. Box 575, Tappan, NY 10983
2489	77.15-2-4	Gary Prunotto	35 Jane St, Tappan, NY 10983
2489	77.15-2-11	Gloria Trotta	68 Lexington Rd, Tappan, NY 10983
2489	77.15-2-12	Shanley Henry	74 Lexington Rd, Tappan, NY 10983
2489	77.15-2-46	Somboon Singhchai	156 Oak Tree Rd, Tappan, NY 10983
2489	77.15-2-47	DMBSTJL LLC	10 Hillcrest Ct, Old Tappan, NJ 07675
2489	77.15-2-48	So Orangetown School Dist	160 Van Wyck Rd, Blauvelt, NY 10913
2489	77.15-2-49	Joyce Mennillo	100 Oak Tree Rd, Tappan, NY 10983
2489	77.15-2-50	Chake Vartanian	45 Jane St, Tappan, NY 10983
2489	77.15-2-51	Victoria Perell-Valdes	86 Oak Tree Rd, Tappan, NY 10983
2489	77.15-2-52	Michael Lo Conti	80 Oak Tree Rd, Tappan, NY 10983
2489	77.15-2-53	Marvino Property Management	20 N Moison Rd, Blauvelt, NY 10913

Address envelopes & U.S. postage stamp

JAN 13 2024

RECEIVED
JAN 13 2024
TAPPAN
NEW YORK

DECISION

RENEWAL OF SPECIAL PERMIT APPROVED AS AMENDED FOR FIVE (5) YEARS

To: Daniel Kim (Imperial Sports)
7 Bethany Circle
Closter, New Jersey 07624

ZBA #18-90
Date: December 5, 2018 & January 2, 2019
Permit # N.A.

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#18-90: Application of Imperial Sports for a Renewal of a Special Permit from Zoning Code (Chapter 43) of the Town of Orangetown Code, CS District, Section 3.11, Column 3 #8 (Other retail /Services: Karaoke Room and Kitchen) which has been in existence since 11/01/2016 and the applicant is requesting a renewal as required by Certificate of Occupancy #41860. The premises are located at 64 Route 303, Tappan, New York and are identified on the Orangetown Tax Map as Section 77.15, Block 1, Lot 42; in the CS zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at meetings held on the following Wednesdays, December 5, 2018 and January 2, 2019 at which time the Board made the determination hereinafter set forth.

On December 5, 2018 Daniel Kim Attorney and Adrian Linn, owner, appeared and testified.

The following documents were presented:

1. Plans by Se Hwan Kim, Architect dated 10/25/2009: A.01 Proposed Plan Opt A Imperial Sports One, G.03 Egress Plan Imperial Sports One; G.02 Site Plan and Building Information Imperial Sports One.
2. Certificate of Occupancy dated 11/01/2016 issued as per ZBA Decision #13-48.
3. Zoning Board of Appeals Decision #13-48 dated June 19, 2013.
4. A letter dated November 26, 2018 from the County of Rockland Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
5. A letter dated November 29, 2018 from the Rockland County Sewer District #1 signed by Joseph LaFiandra, Engineer II.
6. A sign off dated December 4, 2018 from Elizabeth Mello, Rockland County Department of Health.
7. A sign off dated October 29, 2018 from Dyan Rajashinghan, Rockland County Highway Department.

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

At the December 5, 2018 meeting Daniel Kim, Attorney for Imperial Sports, testified that they would like to renew the Special Permit and expand their hours of operation; that they would like to be able to stay open until 4 a.m. because a lot of their business is coming in after 11:00 p.m. and they are presently restricted to close at midnight on weekdays and 1:00 a.m. on weekends; that they are losing business because of these hours and they cannot compete with other similar businesses that are open longer; that the karaoke rooms are self-contained sound proof rooms and no noise filters outside and they also wanted to ask for the special permit to be granted for five or ten years; and that they would request a continuance so that they can provide

TOWN CLERK'S OFFICE
JAN 22 A 10:49
TOWN OF ORANGETOWN

the requested parking calculations and repost and publish with the requested longer hours of operation.

January 2, 2019

The following item was submitted for review:

1. Parking Lot Improvement Plan prepared for Elias Tsionis and George Tzoulafis dated September 4, 2013 with the latest revision date of 06/18/2015 signed and sealed by James A. Feury, P.W.

Board members present:

Mr. Bosco, Ms. Salomon, Mr. Sullivan, Mr. Quinn, Mr. Feroldi, and Ms. Castelli .

On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, based upon the testimony heard by this Board, and the facts as presented in the application submissions and in the record, since application ZBA #18-90 seeks area or bulk variances for construction of a primary or accessory/appurtenant non-residential structure or facility involving less than 4,000 sq. ft. of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, and seeks the renewal of a special permit for a Pool Hall and Karaoke Hall not to exceed five years from date hereof, in a zoned CS (Commercial Shopping) lot located at 64 Route 303, Tappan, New York this application is exempt from environmental review under the State Environmental Quality Review Act pursuant to SEQRA Regulation §617.4 (c)(7); Mr. Sullivan moved for a Board determination that the foregoing application is exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (7); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Mr. Bosco, aye; Ms. Salomon, aye; Mr. Sullivan, aye; Mr. Quinn, aye; Mr. Feroldi, aye; and Ms. Castelli, aye.

Daniel Kim, Attorney for Imperial Sports, testified that they have submitted the parking plan; that they have never had a problem with parking for their facility; that they would like to ask permission to extend the hours of operation to 2 A.M. every night and to request that the Special Permit be issued for five years.

Public Comment:

No public comment

The Board members made personal inspections of the premises the week before the meeting and found them to be properly posted and as generally described on the application.

A satisfactory statement in accordance with the provisions of Section 809 of the General Municipal Law of New York was received.

TOWN CLERK'S OFFICE
2019 JAN 22 A 10:49
TOWN OF ORANGETOWN

Mr. Sullivan made a motion to close the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

FINDINGS OF FACT AND CONCLUSIONS:

After personal observation of the property, hearing all the testimony and reviewing all the documents submitted, the Board found and concluded that the benefits to the applicant if the variance(s) are granted outweigh the detriment (if any) to the health, safety and welfare of the neighborhood or community by such grant, for the following reasons:

1. The requested Special Permit will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The special permit is being granted for five-years from the date of issuance of the certificate of occupancy with hours of operation limited until 2 A.M. weekdays and Friday and Saturday nights.
2. The applicant has provided a parking table on the site plan and illustrate sufficient parking is being provided for the additional uses.
3. The requested Special Permit as conditioned will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The special permit is being granted for five-years from the date of issuance of the certificate of occupancy with hours of operation limited until 2 A.M. weekdays and Friday and Saturday nights.
4. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining a special permit.
5. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvements, so the alleged difficulty was self-created, which consideration was relevant to the decision of the Board of Appeals, but did not, by itself, preclude the granting of the special permit.
6. The proposed use will be appropriately located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities.

TOWN OF ORANGETOWN
2019 JAN 22 A 10:49
TOWN CLERK'S OFFICE

7. The proposed use will not cause undue traffic congestion or create a traffic hazard and will not create at any point of determination set forth in §§4.16, 4.17 & 4.18 any more dangerous and objectionable elements referred to in §4.11 than is characteristic of the uses expressly permitted as of right in the same district.
8. The proposed use will not adversely affect the character of or property values in the area and it will not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the town.
9. The proposed use will comply with all other regulations applicable to such use and the drainage for the site will not be affected by the issuance of the Special Permit.

DECISION: In view of the foregoing and the testimony and documents presented, the Board: RESOLVED, that the application for the requested Renewal and Extension of time for the Special Permit is APPROVED for FIVE YEARS from the date of issuance of the certificate of occupancy with the Specific Conditions that (1) the hours of operation are limited to 12:00 noon to 2 A.M. weekdays and Friday and Saturday nights; and (2) a parking table has been provided on the site plan and illustrate sufficient parking is being provided for the additional uses; and FURTHER RESOLVED, that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

General Conditions:

(i) The approval of any variance or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.

(ii) Any approval of a variance or Special Permit by the Board is limited to the specific variance or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.

(iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any variances being requested.

(iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.

TOWN CLERK'S OFFICE
2018 JAN 22 A 10:49
TOWN OF CALNESTON

(v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

The foregoing resolution to approve the application for the requested Renewal and extension of time for the Special Permit is APPROVED for FIVE YEARS from the date of issuance of the certificate of occupancy with the Specific Conditions that (1) the hours of operation are limited to 12:00 noon to 2 A.M. weekdays and Friday and Saturday nights; and (2) a parking table has been provided on the site plan and illustrate sufficient parking is being provided for the additional uses;; was presented and moved by Mr. Sullivan, seconded by Ms. Salomon and carried as follows: Mr. Bosco, aye; Mr. Quinn, aye; Mr. Sullivan, aye; Ms. Salomon, aye; and Ms. Castelli, aye.

The Administrative Aide to the Board is hereby authorized, directed and empowered to sign this decision and file a certified copy thereof in the office of the Town Clerk.

DATED: January 2, 2019

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

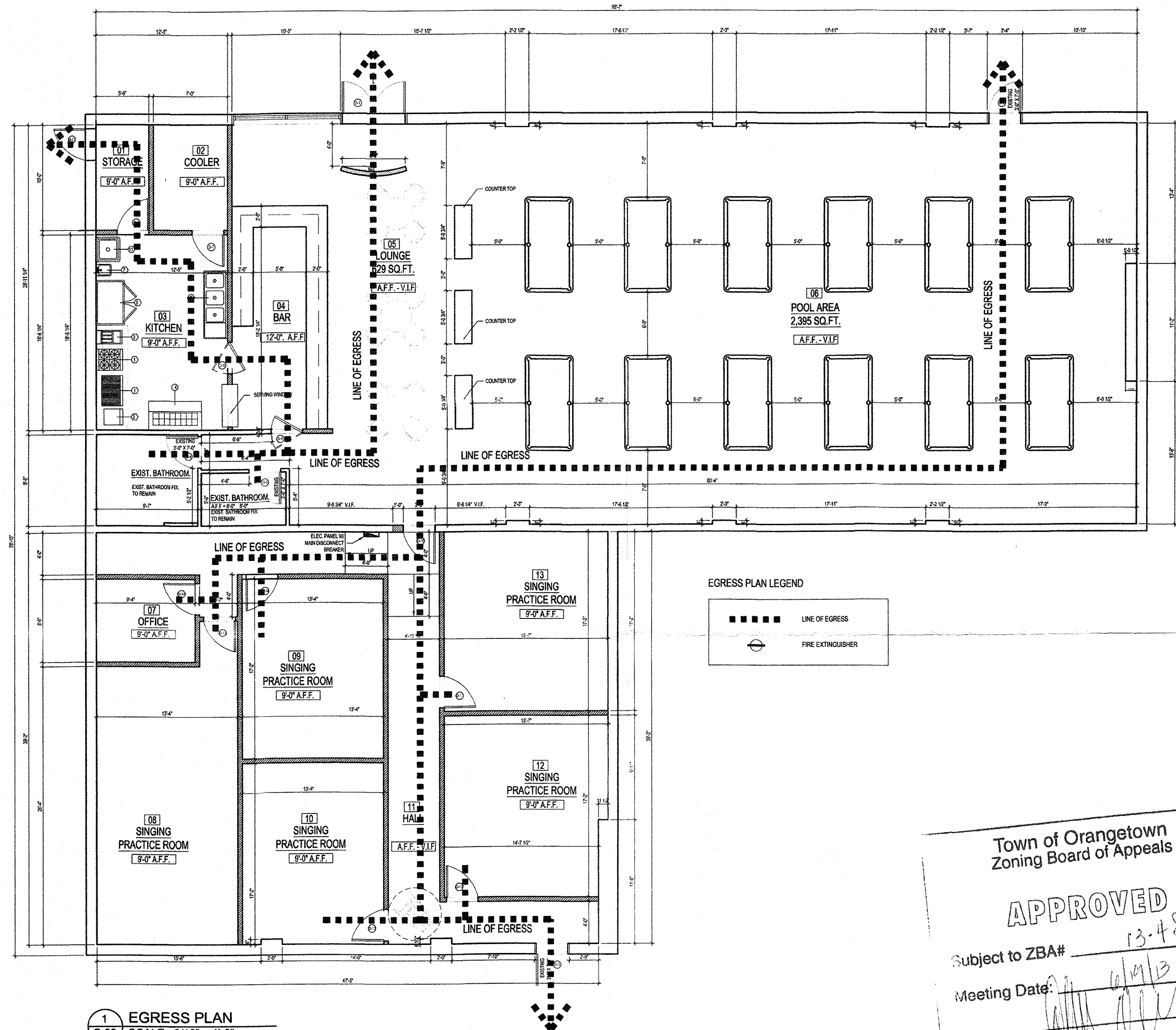
By 
Deborah Arbolino
Administrative Aide

DISTRIBUTION:

APPLICANT
ZBA MEMBERS
SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR-N.A.

TOWN CLERK
HIGHWAY DEPARTMENT
ASSESSOR
DEPT. of ENVIRONMENTAL
MGMT. and ENGINEERING
FILE,ZBA, PB
CHAIRMAN, ZBA, PB, ACABOR

TOWN CLERK'S OFFICE
2019 JAN 22 A 10:49
TOWN OF ORANGETOWN



1 EGRESS PLAN
G.03 SCALE: 3/16" = 1'-0"

Town of Orangetown
Zoning Board of Appeals

APPROVED

Subject to ZBA# 18-90

Meeting Date: 12/5/18 & 1/2/19

Town of Orangetown
Zoning Board of Appeals

APPROVED

Subject to ZBA# 13-48

Meeting Date: 6/19/13

ZONING BOARD OF APPEALS
Meeting Of:
DEC 05 2018
Town Of Orangetown

ZONING BOARD OF APPEALS
JUN 19 2013

REVISIONS					
NUM	DATE	DESCRIPTION	NUM	DATE	DESCRIPTION

THIS PLAN IS APPROVED ONLY FOR WORK INDICATED ON THE APPLICATION SPECIFICATION SHEETS.
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