

TOWN OF ORANGETOWN PLANNING BOARD
Meeting of Wednesday, December 10, 2025

MEMBERS PRESENT:

Michael Mandel, Vice Chairman
Andrew Andrews
Matthew Miller
Bruce Bond (alternate member)

MEMBERS ABSENT:

Denise Lenihan
Lisa DeFeciani
Michael McCrory
Thomas Warren, Chairman

ALSO, PRESENT: Rick Oliver, Acting Director, Office of Building, Zoning, Planning Administration and Enforcement; Rick Pakola, Deputy Town Attorney; Audrey Lupachino, Planning Assistant; and Patricia Beer, Stenographer.

Michael Mandel, Vice Chair and Acting Chairman, called the meeting to order at 7:30 p.m. Hearings as listed on this meeting's agenda which are made a part of these minutes were held as noted below:

Continued Items:

Praxair – Installation of Hazmat Storage Container Site Plan	PB #24-46
Continued from January 22, 2025 Planning Board Meeting Continued from October 23, 2024 Planning Board Meeting	
Pre-preliminary, Preliminary, & Final Site Plan Review And SEQRA Review	Preliminary Approval with Conditions SEQRA: Neg. Dec.
542 Route 303, Orangeburg Section 70.19-1-46; LO Zoning District	

New Items:

Pierce Residence – Critical Environmental Area Site Plan	PB# 25-61
Final Site Plan Review 76 Old Mountain Road South, Upper Grandview 71.05-1-26; R-22 Zoning District	Final Approval with Conditions Neg. Dec. Reaffirmed
Xing Residence – Critical Environmental Area Site Plan	PB# 25-63
Pre-preliminary, Preliminary, & Final Site Plan Review And SEQRA Review	Continued for Revised Plans and Drainage Review
918 Route 9W, Upper Grandview 71.17-1-2; R-22 Zoning District	

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Ausch Residence Site Plan

PB# 25-64

Pre-preliminary, Preliminary, & Final Site Plan Review
And SEQRA Review

131 South Highland Avenue, Pearl River
68.15-2-78.2; R-15 Zoning District

**Postponement
Requested by
Applicant**

The decisions of the **November 12, 2025** Planning Board Meeting were reviewed and approved with amendment correction. The motion for adoption was made and moved by Bruce Bond, (alternate member) and seconded by Andrew Andrews, and carried as follows: Thomas Warren – Chair, absent; Michael Mandel - Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, absent; Lisa DeFeciani, absent; Bruce Bond, (alternate member), aye.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Matthew Miller, and second by Bruce Bond, and carried as follows: Thomas Warren – Chair, absent; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, absent; Lisa DeFeciani, absent; Bruce Bond, (alternate member), aye.

The meeting was adjourned at **8:25 p.m.** The next Planning Board meeting is scheduled for January 14, 2026.

Dated: December 10, 2025
Town of Orangetown Planning Board



Audrey Lupachino
Planning Assistant
Town of Orangetown

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**TO: Vahid Rostami, Ph.D, P.E., Atzl, Nasher, and Zigler, 232 North Main
Street, New City, New York 10956
FROM: Orangetown Planning Board**

**RE: Praxair – Installation of Hazmat Storage Container Site Plan
Continued from January 22, 2025 Planning Board Meeting
Continued from October 23, 2024 Planning Board Meeting**

The application of Howard Powell, Maintenance & Facilities Manager of Linde Advanced Material Technologies, Inc., applicant, and Linde Advanced Material Technologies, Inc., owner, for Pre-preliminary, Preliminary, & Final Site Plan Review at a site to be known as “**Praxair – Installation of Hazmat Storage Container Site Plan**” in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, **Chapter 21A** of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 542 Route 303, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.19, Block 1, Lot 46; LO zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, October 23, 2024, January 22, 2025, and December 10, 2025**, the Board made the following determinations:

October 23, 2024

Howard Powell, Owner Rep. – Maintenance Facilities Manager, appeared and testified before the Board.

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, RA, Director dated October 17, 2024.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated October 22, 2024.
3. An interdepartmental memorandum from the Fire Prevention Bureau, Town of Orangetown, signed by David Majewski, dated October 8, 2024.
4. Letter from Brooker Engineering, signed by Dennis Rocks, PE, CFM, dated October 22, 2024.

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5. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated October 9, 2024.
6. Letter from Rockland County Sewer District No. 1, signed by Nicholas King, Engineer I, dated October 7, 2024.
7. Email from Orange & Rockland from Alfred Gaddi, PE dated September 19, 2024.
8. Email from Stephanie Palumbo, concerned member from the community, dated October 18, 2024.
9. Email from Janine Alon, concerned member from the community, dated October 17, 2024.
10. Email from Raquel Perez, 15 Hillside Avenue, Blauvelt, dated October 17, 2024.
11. Boundary and Location Survey prepared by First Order, LLO, dated January 24, 2024.
12. Site Plan prepared by Linde Advanced Material Technologies, Inc. dated September 3, 2024.
13. Decision Document, Former Materials Research Corporation Operable Unit Number 1: Remedial Program Brownfield Cleanup Program Orangeburg, Rockland County, prepared by Division of Environmental Remediation New York State Department of Environmental Conservation, dated October 2018.
14. Short Environmental Assessment Form signed by Howard Powell, Maintenance Facilities Manager.

The Board reviewed the submitted plan and information. The hearing was then opened to the Public.

A motion was made to open the Public Hearing portion of the meeting by Michael Mandel -Vice Chair, and second by Denise Lenihan and carried as follows: Thomas Warren – Chair, aye; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Bruce Bond (alternate member), aye.

PUBLIC COMMENTS:

Email from Stephanie Palumbo, concerned member from the community, dated October 18, 2024, concerns about the potential for increased pollution and environmental hazards.

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Email from Janine Alon, concerned member from the community, dated October 17, 2024, concerns about the potential for increased pollution and environmental hazards.

Email from Raquel Perez, 15 Hillside Avenue, Blauvelt, dated October 17, 2024, expressed concerns about the potential for increased pollution and environmental hazards.

There being no one else to be heard from the Public, a motion to close the public portion of the meeting was made by Michael Mandel -Vice Chair, and second by Denise Lenihan and carried as follows: Thomas Warren – Chair, aye; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Bruce Bond (alternate member), aye.

The applicant requested a **CONTINUATION**.

January 22, 2025

Thomas Biggie, Praxair Representative – Technician, appeared and testified before the Board.

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Rick Oliver, Acting Director dated January 17, 2025.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated January 21, 2025.
3. An interdepartmental memorandum from the Fire Prevention Bureau, Town of Orangetown, signed by David Majewski, dated January 6, 2025.
4. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated January 2, 2025.
5. Email from New York State Department of Transportation, signed by David Groucher, dated December 27, 2024.
6. Site Plan prepared by Linde Advanced Material Technologies INC., dated September 3, 2024.
7. Short Environmental Assessment Form signed by Howard Powell, Maintenance Facilities Manager, dated October 22, 2024.

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The Board reviewed the submitted plan and information. The hearing was then opened to the Public.

A motion was made to open the Public Hearing portion of the meeting by Michael Mandel -Vice Chair, and second by Matthew Miller, and carried as follows: Thomas Warren – Chair, aye; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, aye; Lisa DeFeciani, aye; Bruce Bond (alternate member), aye.

PUBLIC COMMENTS: None.

There being no one else to be heard from the Public, a motion to close the public portion of the meeting was made by Michael Mandel -Vice Chair, and second by Andrew Andrews, and carried as follows: Thomas Warren – Chair, aye; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, aye; Lisa DeFeciani, aye; Bruce Bond (alternate member), aye.

The applicant requested a **CONTINUATION**.

December 10, 2025

Vahid Rostami, Ph.D, P.E., Engineer, and John Lombardino, Praxair Representative – Project Manager, appeared and testified before the Board.

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Rick Oliver, Acting Director dated November 25, 2025.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated December 4, 2025.
3. An interdepartmental memorandum from the Fire Prevention Bureau, Town of Orangetown, signed by David Majewski, dated December 2, 2025.
4. Letter from Orangetown Planning Board’s Plan Review Consultant, Paul Gdanski, PE, PLLC, signed by Paul Gdanski, PE, dated November 17, 2025

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5. Letter from Orangetown Planning Board's Drainage Review Consultant, Weston & Sampson, signed by Devon Palmieri, EIT, Project Engineer, dated November 14, 2025
6. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated December 1, 2025.
7. Letter from Rockland County Sewer District No. 1, signed by Nicholas King, Engineer II, dated November 25, 2025.
8. Email from Orange & Rockland from Alfred Gaddi, PE dated November 7, 2025.
Letter from New York State Parks, Recreation, and Historic Preservation, signed by R. Daniel Mackay, dated October 27, 2025.
9. Site Plan prepared by Atzl, Nasher, and Zigler P.C., signed by Vahid Rostami PH.D., P.E., and John R. Atzl, PLS, dated September 11, 2025.
10. Oil Spill Prevention, Control And Countermeasure Plan, (SPCC Plan Amendment), Linde Advanced Material Technologies, 542 And 560 Route 303, Orangeburg, New York (HRP Project # PRA2094.AC), signed by Abigail Searles, Project Consultant, and Allison Tyropolis, PE, Director of Compliance Engineering, dated January 19, 2024.
11. Narrative Summary by Atzl, Nasher, and Zigler, dated October 3, 2025.
12. Agency Comment Responses by Atzl, Nasher, and Zigler, dated October 3, 2025.
13. Short Environmental Assessment Form dated October 22, 2024, last revised October 3, 2025, signed by Vahid Rostami, Ph.D, P.E., Engineer.

The Board reviewed the submitted plan and information. The hearing was then opened to the Public.

A motion was made to open the Public Hearing portion of the meeting by Matthew Miller, and second by Bruce Bond (alternate member), and carried as follows: Thomas Warren – Chair, absent; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, absent; Lisa DeFeciani, absent; Bruce Bond (alternate member), aye.

PUBLIC COMMENTS: None.

There being no one else to be heard from the Public, a motion to close the public portion of the meeting was made by Bruce Bond (alternate member), and second by Andrew Andrews, and carried as follows: Thomas Warren – Chair, absent; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, absent; Lisa DeFeciani, absent; Bruce Bond (alternate member), aye.

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SEQRA

The proposed action is classified as an “unlisted action” as defined by Section 617.2 (al) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA.

On motion by Bruce Bond and seconded by Andrew Andrews and carried as follows: Thomas Warren – Chair, absent; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, absent; Lisa DeFeciani, absent; Bruce Bond (alternate member), aye; the Board declared itself Lead Agency.

Pursuant to New York Code, Rules & Regulations (NYCRR) Section 617.7, the Town of Orangetown Planning Board, as lead agency, for the reasons articulated in this Board’s analysis of all of the submissions by the applicant, interested agencies, departments and the public, with respect to this project including the Environmental Assessment Form, which reasons are summarized in the motion, hereby determines that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared.

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant’s professional representatives, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration, Enforcement, Department of Environmental Management and Engineering, Fire Prevention Bureau; and having heard from the following involved and interested agencies: Rockland County Department of Planning, Rockland County Sewer District No. 1, Rockland County Center for Environmental Health, New York State Department of Transportation, and New York State Parks, Recreation and Historic Preservation; and having reviewed a proposed Site Plan, a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;

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- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion Bruce Bond (alternate member) and seconded by Matthew Miller and carried as follows: Thomas Warren – Chair, absent; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, absent; Lisa DeFeciani, absent; Bruce Bond (alternate member), aye; the Board made a Negative Declaration pursuant to SEQRA.

DECISION: In view of the foregoing and the testimony before the Board, the application was granted **Preliminary Site Plan Approval Subject to the Following Conditions:**

1. The applicant is required to change all project plans and documents to reflect the business name change from “Praxair Surface Technologies, Inc” to “Linde Advanced Material Technologies Inc.” per the Certificate of Amendment of Certificate of Incorporation filed with the State of Delaware dated June 26, 2023.
2. The applicant is required to implement all items within the Oil Spill Prevention Control and Countermeasure (SPCC) Plan prepared by HRP Associates Inc. for Linde Advanced Material Technologies Inc. (LAMT) dated January 19, 2024.

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3. The applicant must obtain approval from the Town of Orangetown Industrial Use Committee (IUC).
4. The applicant shall show the location of the existing argon gas tank on the Site Plan.
5. The following note shall be placed on the Site Plan: "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 Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
6. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: "Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations."
7. The following note shall be placed on the Site Plan: "All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m."
8. The following note shall be placed on the Site Plan "The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped and signed by the Chairman and the construction plans are reviewed and approved by the inspector."
9. Town of Orangetown Office of Building, Zoning, Planning, Administration, and Enforcement (OBZPAE) had the following comments which are incorporated herein as conditions of approval:
 - i. The applicant shall add the following notes to site plan:
 - a. Add Districts: School, Fire, Water, Lighting, Sewer and Zoning
 - b. "Lot drainage shown shall constitute easements running with the land and are not to be disturbed."
 - c. "This plan does not conflict with the County Official Map and has been approved in the manner specified by Section 239L & M of the General Municipal Law of the State of New York."
 - d. Note the Record Owner, Address, and add a Signature/Date Line

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Condition #9 Continued...

- e. Note the location of nearest fire hydrant and distance to project on Site Plan
- f. Note that the project's location is within route 303 Overlay District and show 25' setback on site plan defining Overlay Zone
- g. Label the new Hazmat Storage container as "NEW"

10. Town of Orangetown Department of Environmental Management and Engineering (DEME) had the following comments which are incorporated herein as a condition of approval:

- i. The Page & Liber (instrument #), metes and bounds, width, ownership and utility location (as applicable) shall be provided for existing easements and dedications.

11. Town of Orangetown Fire Prevention Bureau had no comments.

12. Paul Gdanski, PE, PLLC, Town of Orangetown Planning Board Plan Review Consultant, had no comments.

13. Weston & Sampson, Town of Orangetown Planning Board Drainage Consultant, made the following review recommendation and project description:

Drainage Review Recommendation:

The Application shows no potential significant adverse impacts with respect to drainage. Weston & Sampson therefore recommends that Praxair Site Plan be approved for drainage subject to no conditions.

Project Description:

The proposed action consists of the placement of a new 26 ft x 8 ft hazmat container behind the existing building. Weston & Sampson understand that the proposed and existing containers are being placed on pre-existing asphalt pavement.

14. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:

- i. The Planning Board must be satisfied that the applicant is in compliance with all pertinent parts of Orangetown regulations regarding the storage of hazardous materials, particularly the provisions of Chapter 15, Section 15-12 (Hazardous materials).
- ii. The applicant must address any outstanding comments provided by the Orangetown Fire Inspector in his letters of January 6, 2025 and October 8, 2024.

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Condition #14 Continued...

- iii. Under New York State General Municipal Law Section 209-u, the storage of hazardous materials shall be reported to both the local fire department as well as the Rockland County Office of Fire and Emergency Services.
- iv. The Planning Board must be satisfied that the applicant is in compliance with all New York State hazardous materials registration, permitting, storage, spill prevention and reporting requirements as administered through the NYS Department of Environmental Conservation.
- v. The materials submitted with this GML § 239 referral included the Brownfield Cleanup Program Decision Document of the Former Materials Research Corporation, Site No. C344070, dated October 2018. Based on recent communications with NYSDEC Division of Environmental Remediation (DER), it is this department's understanding that remedial efforts in the southwest part of the site have been put on hold following groundwater sampling results from approximately two years ago that point towards contaminants either rebounding or coming from an offsite source. The DER indicated that additional soil sampling is being conducted, which will be followed by a new work plan. The response to Q.20 of the SEAF that was submitted acknowledges that "work is underway and not yet complete". It is recommended that the Town review additional site documents available at:
<https://extapps.dec.ny.gov/data/DecDocs/C344070/>. In addition, this department recommends that the Town carefully consider the contamination and remedial challenges that currently exist at this property prior to approval of any additional storage of hazardous materials. The Town may also want to request the Material Data Safety Sheets (MSDS) for the hazardous materials proposed to be stored so that it better understands this application.
- vi. The applicant indicated that an updated Spill Prevention, Control and Countermeasure (SPCC) will be provided upon site plan approval. This department recommends an updated SPCC be submitted prior to site plan approval, especially being that the applicant is using the SPCC as its response to concerns submitted by both the NYS DOT and residents about potential spills and contamination from the site. Additionally, the Town should be satisfied that the SPCC is consistent with guidance offered by the NYSDEC in the Spill Guidance Manual found at:
<https://dec.ny.gov/regulatory/regulations/spill-guidance-manual-sgm>

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Condition #14 Continued...

- vii. Under the Superfund Amendment and Reauthorization Act (SARA), Title III, facilities must register with the local emergency planning committees (LEPC), including the location and amounts of any hazardous substance, provide Material Safety Data Sheets or a list covering all hazardous chemicals present at sites affected by the law, as well as immediate notification to the LEPC and the state emergency response commission of any accidental spill or release into the environment of designated substances. The Planning Board should ensure compliance with federal and state permitting and emergency planning and reporting requirements.
- viii. The Town shall be satisfied that the proposed site plan is compliant with all applicable provisions of the Route 303 Overlay Zone, outlined in Article XIII, Section 13.10B. of the Orangetown Zoning Code.
- ix. The applicant must address all outstanding concerns of the New York State Department of Transportation as outlined in their letter of December 27, 2024.
- x. An updated review must be completed by the County of Rockland Department of Health, and any comments or concerns addressed.
- xi. Pursuant to New York State General Municipal Law (GML) Sections 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County's Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.
- xii. In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County agencies are prohibited from issuing a County permit, license, or approval until the report is filed with the County's Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner's report approving the proposed action or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

15. Rockland County Sewer District No. 1 (RCSD1) does not object to the plan as shown. This project does not affect the District's two (2) interceptor sewers that run in an easement outside the West property lines of the subject parcel. If the plans change, the District will request the opportunity to review the changed plans.

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16. Based on the drawings provided, there should not be any gas conflicts with the proposed work. Please contact Orange & Rockland's new business department for load increases. Please note all gas facilities must be located prior to work and all code 753 rules must be followed.

17. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans and Board Decisions prior to signing the final plans.

18. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.

19. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21 and §6A.

20. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:

- Rockland County Department of Planning
- Rockland County Sewer District No. 1
- Town of Orangetown Zoning Board of Appeals

21. All landscaping shown on the site plans 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.

22. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.

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23. If the applicant, during the course of construction of any required public improvements or private sanitary or storm sewer improvements, 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 (or the applicant’s engineer) shall submit their recommendations as to the special treatment or design modification 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 (applicant’s engineer’s) recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant’s (applicant’s engineer’s) disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or 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. Federal Wetlands - U.S. Army Corps of Engineers).

24. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.

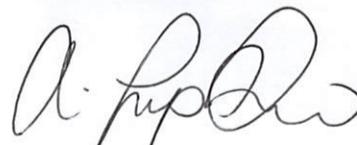
25. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications

26. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

The foregoing Resolution was made and moved by Bruce Bond, (alternate member) and seconded by Andrew Andrews and carried as follows: Thomas Warren – Chair, absent; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, absent; Lisa DeFeciani, absent; Bruce Bond, (alternate member), aye.

The Planning Assistant is hereby authorized, directed and empowered to sign this **DECISION** and file a certified copy in the Office of the Town Clerk and the Office of the Planning Board.

**Dated: December 10, 2025
Town of Orangetown Planning Board**



**Audrey Lupachino
Planning Assistant
Town of Orangetown**

TOWN CLERK'S OFFICE
2026 JAN 21 A 11:42
TOWN OF ORANGETOWN

**State Environmental Quality Review Regulations
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

Permit #: BLDC-6616-25

**PB #24-46: Praxair – Installation of Hazmat
Storage Container Site Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

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

The PLANNING BOARD, TOWN OF ORANGETOWN, as Lead Agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not

NAME OF ACTION:

Praxair – Installation of Hazmat Storage Container Site Plan

SEQR STATUS: Type I _____ Unlisted XXXXXX
CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

**DESCRIPTION OF ACTION: Final Site Plan Approval Subject to Conditions /
Neg. Dec.**

LOCATION: The site is located at 542 Route 303, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.19, Block 1, Lot 46; LO zoning district.

REASONS SUPPORTING THIS DETERMINATION:

The Orangetown Planning Board, as Lead Agency, determined that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared. The reasons supporting this determination are as follows:

The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed development. The proposed action is consistent with the Town of Orangetown's Master Plan and will not have any adverse economic or social impacts upon the Town or its businesses or residences.

If Conditioned Negative Declaration, the specific mitigation is provided on an attachment.

For Further Information contact:

Office of Building, Zoning and Planning

Administration and Enforcement; Town of Orangetown; 20 Greenbush Road
Orangeburg, NY 10962; Telephone Number: 845-359-5100

For Type I Actions and Conditioned Negative Declarations, a copy of this notice is sent: - Commissioner, New York State Department of Environmental Conservation, - Region 3 Headquarters, NYSDEC, - Town Supervisor, Applicant
- Involved Agencies



TOWN CLERK'S OFFICE
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TOWN OF ORANGETOWN

**PB #25-61: Pierce Residence
Final Site Plan
Approval Subject to Conditions
Reaffirmation of Neg. Dec.**

Permit #: BLDR-5465-24

**Town of Orangetown Planning Board Decision
December 10, 2025
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**TO: Jan Degenshein, 407 Newton Avenue, Norwalk, Connecticut 06851
FROM: Orangetown Planning Board**

RE: Pierce Residence – Critical Environmental Area Site Plan

The application of Chad Pierce, applicant and owner, for Final Site Plan Review at a site to be known as “**Pierce Residence – Critical Environmental Area Site Plan**” in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, **Chapter 21A** of the Code of the Town of Orangetown. The site is located at 76 Old Mountain Road South, Upper Grandview, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 71.05, Block 1, Lot 26; R-22 zoning district.

Heard by the Planning Board of the Town of Orangetown at meeting held **Wednesday, December 10, 2025**, the Board made the following determinations:

Jan Degenshein, Architect, and Chad Pierce, Owner, appeared and testified before the Board.

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Rick Oliver, Acting Director dated November 25, 2025.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated December 4, 2025.
3. An interdepartmental memorandum from the Fire Prevention Bureau, Town of Orangetown, signed by David Majewski, dated November 26, 2025.
4. Letter from Orangetown Planning Board’s Plan Review Consultant, Paul Gdanski, PE, PLLC, signed by Paul Gdanski, PE, dated November 17, 2025
5. Letter from Orangetown Planning Board’s Drainage Review Consultant, Weston & Sampson, signed by Dennis Rocks, PE, CFM, dated November 20, 2025
6. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated December 1, 2025.
7. Letter from Rockland County Sewer District No. 1, signed by Nicholas King, Engineer II, dated November 25, 2025.
8. Email from Orange & Rockland from Alfred Gaddi, PE dated November 7, 2025.
9. Land Survey for Chad Peirce prepared by Robert E. Sorace, PLS dated March 18, 2024, last revised February 14, 2025.

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10. Addition to Pierce Residence Architectural Plans Set prepared by Degenshein Architects Planners dated April 3, 2024 last revised March 21, 2025:
 - a. Sheet A-000: Energy Code Req'mts, Location/ Zoning Maps, Zoning Information, Site Plan, & Drawing List
 - b. Sheet A-001: Enlarged Site Plan
 - c. Sheet A-010: Basement Floor Existing Conditions & Demolition Plans, General Notes, & Demolition notes, & Legend
 - d. Sheet A-020: First and Second Floor Existing Conditions & Demolition Plans
 - e. Sheet A-030: Existing Elevations & Exterior Demolition
 - f. Sheet A-300: Basement / Foundation Alteration & Addition Plan & Building Section
 - g. Sheet A-301: First Floor Alteration & Addition Plans & Deck Details
 - h. Sheet A-302: Second Floor Alteration & Addition Plans & Rescheck
 - i. Sheet A-500: South & West Proposed Elevations
 - j. Sheet A-501: North & East Proposed Elevations
 - k. Sheet A-700: Wall Sections & Details
11. Project Narrative, signed by Jan Degenshein, Architect, dated November 6, 2024, last revised September 22, 2025.
12. Short Environmental Assessment Form dated September 29, 2025, signed by Chad Pierce, Owner.
13. Planning Board Site Plan Preliminary Approval Decision PB# 25-01 dated January 8, 2025.
14. Zoning Board of Appeals Area Variance Decision ZBA# 25-20 dated July 16, 2025.

The Board reviewed the submitted plan and information. The hearing was then opened to the Public.

A motion was made to open the Public Hearing portion of the meeting by Bruce Bond (alternate member), and second by Andrew Andrews and carried as follows: Thomas Warren – Chair, absent; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, absent; Lisa DeFeciani, absent; Bruce Bond (alternate member), aye.

PUBLIC COMMENTS: None.

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There being no one to be heard from the Public, a motion to close the public portion of the meeting was made by Bruce Bond (alternate member), and second by Andrew Andrews and carried as follows: Thomas Warren – Chair, absent; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, absent; Lisa DeFeciani, absent; Bruce Bond (alternate member), aye.

Reaffirmation of SEQRA

The proposed action is classified as an “unlisted action” as defined by Section 617.2 (a) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA.

On motion by Bruce Bond (alternate member), and second by Andrew Andrews and carried as follows: Thomas Warren – Chair, absent; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, absent; Lisa DeFeciani, absent; Bruce Bond (alternate member), aye; the Board made reaffirmation on a Negative Declaration pursuant to SEQRA from Planning Board Decisions PB #25-01, dated January 8, 2025, Preliminary Site Plan Approval.

DECISION: In view of the foregoing and the testimony before the Board, the application was granted **Final Site Plan Approval Subject to Conditions:**

1. The following note shall be placed on the Site Plan: “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 Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting.”
2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: “Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.”

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**Town of Orangetown Planning Board Decision
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3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped and signed by the Chairman and the construction plans are reviewed and approved by the inspector.
5. Town of Orangetown Office of Building, Zoning, Planning, Administration, and Enforcement (OBZPAE) had the following comments which are incorporated herein as conditions of approval:
 - i. List all variances approved by Zoning Board of Appeals under Bulk Table.
 - ii. Add Section-Block-Lot to Title Block of drawing set.
 - iii. Provide Architect's seal on all drawings with signature and date.
 - iv. Remove note "c" under Bulk Table requesting interpretation of Chapter 43, Section 9.2.
6. Town of Orangetown Department of Environmental Management and Engineering (DEME) had the following comments which are incorporated herein as conditions of approval:
 - i. The total area of disturbance shall be listed on the site plan.
 - ii. The proposed ground cover underneath the new wood deck shall be clearly labeled on the plans.
 - iii. A stabilized construction entrance shall be added to the site plan/ show width of driveway.
 - iv. Iron pins shall be drawn and labeled at each property corner. If iron pins are not currently present, they shall be as "to be installed" as part of this site plan.
7. Town of Orangetown Fire Prevention Bureau had no comments.
8. On motion Bruce Bond, (alternate member) and seconded by Andrew Andrews and carried as follows: Thomas Warren – Chair, absent; Michael Mandel - Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, absent; Lisa DeFeciani, absent; Bruce Bond, (alternate member), aye; the Planning Board has waived the above-mentioned four conditions from Paul Gdanski, PE, PLLC, Town of Orangetown Planning Board Plan Review Consultant.

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9. Paul Gdanski, PE, PLLC, Town of Orangetown Planning Board Plan Review Consultant, had the following comments which are incorporated herein as conditions of approval:

- i. Short Environmental Assessment Form #17 a and b must be completed.
- ii. Short Environmental Assessment Form #13b needs to be completed.
- iii. The calculation of the adjusted lot area should be included on the plans.
- iv. ACABOR review and approval is required

10 Weston & Sampson, Town of Orangetown Planning Board Drainage Consultant, made the following review recommendation and project description:

Drainage Review Recommendation:

It is Weston & Sampson's opinion that increases in stormwater runoff can be successfully mitigated for this project. Therefore, Weston & Sampson recommends that Pierce Residence Site Plan be approved for drainage.

Project Description:

This is Weston & Sampson's third review report to the Planning Board for this project. The applicants wish to enclose a first-floor roofed porch and add a second story addition to their existing house located at 76 Old Mountain Road South.

11. Rockland County Department of Planning (RCDP) remands for local decision and deemed to have no significant county-wide or inter-community impact.

12. Rockland County Sewer District No. 1 (RCSD#1) does not object to the plan as shown. This project does not affect any sanitary sewers within the District.

13. Based on the drawings provided, there may be gas conflicts with the proposed work. Please contact Orange & Rockland's new business department for any gas disconnects/reconnects. Please note all gas facilities must be located prior to work and all code 753 rules must be followed.

14. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:

- Rockland County Department of Planning
- Rockland County Sewer District No. 1

15. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans and Board Decisions prior to signing the final plans.

16. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.

TOWN OF ORANGETOWN
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**Town of Orangetown Planning Board Decision
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17. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21 and §6A.

18. All landscaping shown on the site plans 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 and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.

20. If the applicant, during the course of construction of any required public improvements or private sanitary or storm sewer improvements, 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 (or the applicant's engineer) shall submit their recommendations as to the special treatment or design modification 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 (applicant's engineer's) recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's (applicant's engineer's) disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or 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. Federal Wetlands - U.S. Army Corps of Engineers).

21. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.

22. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications

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**PB #25-61: Pierce Residence
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Reaffirmation of Neg. Dec.**

Permit #: BLDR-5465-24

**Town of Orangetown Planning Board Decision
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23. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

The foregoing Resolution was made and moved by Bruce Bond (alternate member), and second by Andrew Andrews and carried as follows: Thomas Warren – Chair, absent; Michael Mandel -Vice Chair and Acting Chairman, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, absent; Michael McCrory, absent; Lisa DeFeciani, absent; Bruce Bond (alternate member), aye.

The Planning Assistant is hereby authorized, directed and empowered to sign this **DECISION** and file a certified copy in the Office of the Town Clerk and the Office of the Planning Board.

**Dated: December 10, 2025
Town of Orangetown Planning Board**



**Audrey Lupachino
Planning Assistant
Town of Orangetown**

TOWN OF ORANGETOWN
2026 JAN 21 A 11:42
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