



OFFICE OF BUILDING, ZONING, PLANNING,  
ADMINISTRATION AND ENFORCEMENT  
**TOWN OF ORANGETOWN**

20 Greenbush Road  
Orangeburg, N.Y. 10962

**Jane Slavin, R.A.**  
**Director**

(845)359-8410

Fax: (845) 359-8526

To Whom It May Concern:

Subject: Local Law#7, 1981

A determination concerning "**Restricted Two Family Conversions**" (Local Law 7, 1981), was made by the Town Board in September 1983.

The Board's decision mandates that a covenant concerning the conversion be filed in the Office of the County Clerk in New City, New York. (See Paragraph 2 of the attached checklist).

Copies of the covenant approved by the Town Attorney are enclosed for your use. Schedule "A" referred to in the covenant is your property deed.

This office would appreciate your cooperation in this matter and request that you bring in a copy of the filed covenant do that we may process the necessary paperwork and issue your Certificate of Occupancy.

Very truly yours,

Jane Slavin, R.A.

Director-OBZPAE

## **CHECKLIST FOR RESTRICTED 2 FAMILY DWELLING**

1. Apply for permit with the Building Department.  
**BUILDING PERMIT APPLICATION MUST INCLUDE THE FOLLOWING:**
  - Completed application form.
  - Two copies of survey or plot plan of property.
  - Two copies of floor plan for unit including windows (with measurements).
  - Copy of filed covenant or copy of deed (whichever is applicable).
  - Two checks (FIRST TIME APPLICANTS must pay permit fee based on estimated cost of construction + \$20 database fee, renewal of Local Law #7 fees are \$150 for the permit + \$20 database fee)
2. File Covenant in the Rockland County Clerk's Office to the effect that if the grantor or his or her spouse or the survivors' cease to occupy said dwelling; the dwelling automatically reverts to only one dwelling unit. (Bring copy of filed covenant to the Building Department with permit application).
3. The additional unit must clearly subordinate to the main one family use and to occupy not more than 600 square feet of floor space. Chapter 43 Table 3.11 R-80 Gen Use Column 2 Item #7
4. There shall be no significant exterior change and no new structures built on the property within the past ten (10) years so as to create an additional dwelling unit. (Amended to 22-84 Local Law #21, 1984).
5. The new unit must have a safe and proper means of entrance and exit.
6. There shall be only a single front entrance to the dwelling.
7. At least three parking spaces are required.
8. \*The house must be at least fifteen (15) years old – see item #15.
9. The dwelling must comply with all fire, safety and building codes.
10. An electrical re-inspection of the dwelling must be done.
11. Hard-wired smoke detectors must be in the unit, installed per current New York State code.
12. A carbon monoxide detector, plug-in battery must be in the unit.
13. If you are re-registering under Local Law #7, a copy of the original Certificate of Occupancy under Local Law #7 is required. And an electrical re-inspection of the dwelling must be done.
14. If this is the original application under Local Law#7, a copy of your deed is required.
15. The owner who first converts the dwelling must have resided in said dwelling for at least fifteen (15) years. (Local Law 314, 1991).

**DECLARATION OF RESTRICTIVE COVENANT  
(WITHOUT ZONING BOARD APPROVAL)**

**THIS DECLARATION OF RESTRICTIVE COVENANT** (hereinafter referred to as "this Declaration"), made as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between

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[PRINT THE FULL NAMES OF ALL DEEDED OWNERS OF THE SUBJECT PROPERTY EXACTLY AS THEIR NAMES APPEAR IN THEIR DEED],  
residing at \_\_\_\_\_, hereinafter referred to as the "Owner(s)," and **THE TOWN OF ORANGETOWN**, a municipal corporation within the County of Rockland and the State of New York, having its office at Town Hall, 26 Orangeburg Road, Orangeburg, New York 10962, hereinafter referred to as the "Town."

**WHEREAS**, the Owner(s) desire the issuance of a Building Permit and/or a Certificate of Occupancy for an additional/second dwelling unit, including a kitchen, for real property commonly known as \_\_\_\_\_, and issued Town Tax Map Designation \_\_\_\_\_ - \_\_\_\_ - \_\_\_\_\_, more particularly described in the "Schedule A-Legal Description" attached hereto and made a part hereof [APPEND A COPY OF THE "SCHEDULE A-LEGAL DESCRIPTION" THAT IS CONTAINED WITHIN THE OWNERS' DEED] (hereinafter referred to as the "subject real property" or the "dwelling"), pursuant to the provisions of Chapter 43 (Zoning), Section 4.5, of the Code of the Town of Orangetown (a/k/a Local Law #7 of 1981), as amended; and

**WHEREAS**, under said Chapter 43, Section 4.5, the Town requires certain protective restrictions, conditions, limitations and covenants before issuance of a Building Permit and/or a Certificate of Occupancy for the subject real property, which shall be as hereinafter provided, and the Owner(s) consent thereto; and

**NOW, THEREFORE**, the Owner(s) hereby declare the subject real property to be subject to the following covenant:

In the event the occupation of the subject real property by the Owner(s), or his or her spouse, or the survivor(s) of them, ceases, the dwelling automatically reverts to only one dwelling unit (i.e., single-family residence), without further action of the Town or any local department, office, agency or bureau having jurisdiction.

**IN WITNESS WHEREOF**, the Owner(s) have duly executed this Declaration on the day and year first above written.

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[THE DEEDED OWNER MUST SIGN HIS/HER FULL NAME ABOVE, AND PRINT HIS/HER FULL NAME BENEATH HIS/HER SIGNATURE, EXACTLY AS HIS/HER NAME APPEARS IN HIS/HER DEED]

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ACKNOWLEDGEMENT

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

On the \_\_\_ day of \_\_\_, 20\_\_\_, before me, the undersigned, a notary public in and for the State of New York, personally appeared

[PRINT FULL NAME OF DEEDED OWNER OF THE SUBJECT PROPERTY EXACTLY AS HIS/HER NAME APPEARS IN HIS/HER DEED], 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

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

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Notary Public

**SCHEDULE A – LEGAL DESCRIPTION**

**DECLARATION OF RESTRICTIVE COVENANT (WITH ZONING BOARD APPROVAL)**

**THIS DECLARATION OF RESTRICTIVE COVENANT** (hereinafter referred to as "this Declaration"), made as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between

\_\_\_\_\_  
[PRINT THE FULL NAMES OF ALL DEEDED OWNERS OF THE SUBJECT PROPERTY EXACTLY AS THEIR NAMES APPEAR IN THEIR DEED],  
residing at \_\_\_\_\_, hereinafter referred to as the "Owner(s)," and **THE TOWN OF ORANGETOWN**, a municipal corporation within the County of Rockland and the State of New York, having its office at Town Hall, 26 Orangeburg Road, Orangeburg, New York 10962, hereinafter referred to as the "Town."

**WHEREAS**, the Owner(s) desire the issuance of a Building Permit and/or a Certificate of Occupancy for an additional/second dwelling unit, including a kitchen, for real property commonly known as \_\_\_\_\_, and issued Town Tax Map Designation \_\_\_\_\_ - \_\_\_\_ - \_\_\_\_\_, more particularly described in the "Schedule A-Legal Description" attached hereto and made a part hereof [APPEND A COPY OF THE "SCHEDULE A-LEGAL DESCRIPTION" THAT IS CONTAINED WITHIN THE OWNERS' DEED] (hereinafter referred to as the "subject real property" or the "dwelling"), pursuant to the provisions of Chapter 43 (Zoning), Section 4.5, of the Code of the Town of Orangetown (a/k/a Local Law #7 of 1981), as amended; and

**WHEREAS**, under said Chapter 43, Section 4.5, the Town requires certain protective restrictions, conditions, limitations and covenants before issuance of a Building Permit and/or a Certificate of Occupancy for the subject real property, which shall be as hereinafter provided, and the Owner(s) consent thereto; and

**WHEREAS**, pursuant to its Decision in ZBA # \_\_\_\_\_, dated \_\_\_\_\_, the Town's Zoning Board of Appeals has approved the application of the Owner(s), subject to the execution of this Declaration, *inter alia*.

**NOW, THEREFORE**, the Owner(s) hereby declare the subject real property to be subject to the following covenant:

In the event the occupation of the subject real property by the Owner(s), or his or her spouse, or the survivor(s) of them, ceases, the dwelling automatically reverts to only one dwelling unit (i.e., single-family residence), without further action of the Town or any local department, office, agency or bureau having jurisdiction.

**IN WITNESS WHEREOF**, the Owner(s) have duly executed this Declaration on the day and year first above written.

\_\_\_\_\_  
[THE DEEDED OWNER MUST SIGN HIS/HER FULL NAME ABOVE, AND PRINT HIS/HER FULL NAME BENEATH HIS/HER SIGNATURE, EXACTLY AS HIS/HER NAME APPEARS IN HIS/HER DEED]

\_\_\_\_\_  
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\_\_\_\_\_  
Notary Public

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

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Notary Public

**SCHEDULE A - LEGAL DESCRIPTION**