

PHILLIPS & MILLMAN, LLP
ATTORNEYS AT LAW A FIRM CHOICE

NEW YORK OFFICE
148 SOUTH LIBERTY DRIVE
STONY POINT, NEW YORK 10980
845.947.1100
FACSIMILE
845.786.7207

FRANK J. PHILLIPS +^
JEFFREY T. MILLMAN + * ^
ELLEN D. LAZARUS +
JEANNE M. HURLEY +

OF COUNSEL
+ FRANK J. LAPERCH
+^ KELLY A. BURGOON
* JOSEPH A. RAIA

PARALEGAL
MADELYN WILLIAMS

NEW JERSEY OFFICE
346 GRAND AVENUE
ENGLEWOOD, NEW JERSEY 07631
201.894.1104
ALL CORRESPONDENCE TO NEW YORK

+ MEMBER NY
* MEMBER NJ
^ MEMBER CT

February 10, 2017

VIA FAX 359-5126 AND HAND DELIVERY

Hon. Andrew Stewart, Town Supervisor
Town Board
Town of Orangetown
26 Orangeburg Road
Orangeburg, NY 10962

RE: Gerald Bieber Zone Change
"LO" to "CC" District
576 Route 303

TOWN OF ORANGETOWN
2017 FEB 13 AM 10 16
TOWN CLERKS OFFICE

Dear Supervisor Stewart and Honorable Town Board Members:

Enclosed please find an original and six (6) copies of the applicant, Gerald Bieber's, zone change petition and exhibits.

We respectfully request that you place this application to be received at the March 7, 2017 Town Board meeting and the zone change application be addressed at your regular Town Board meeting on March 21, 2017.

Thank you for your attention and cooperation to this matter.

Respectfully yours,

S/
Frank J. Phillips

FJP/et
cc: VIA FAX (845) 359-2715 AND HAND DELIVERY
John S. Edwards, Town Attorney

Gerald Bieber

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

-----X
IN THE MATTER OF THE

PETITION OF

GERALD BIEBER

AMENDMENT OF THE ZONING ORDINANCE
OF THE TOWN OF ORANGETOWN FROM AN
"LO" DISTRICT TO AN "CC" DISTRICT

-----X
TO THE TOWN BOARD OF
THE TOWN OF ORANGETOWN

PETITION

TOWN CLERKS OFFICE

2017 FEB 13 AM 10 17

TOWN OF ORANGETOWN

The undersigned Petitioner respectfully petitions your Honorable Board as follows:

FIRST:

Gerald Bieber, owns the property, 576 Route 303, located in the hamlet of Blauvelt more particularly bounded and described in the deed annexed hereto as Exhibit A.

SECOND:

The property described in Schedule A to Exhibit A is known and designated on the Tax Map of the Town of Orangetown as:

<u>Section</u>	<u>Block</u>	<u>Lot</u>
70.14	4	15

THIRD:

Annexed hereto and marked as Exhibit B is a survey for the subject property. Exhibit C is a copy of the Land area and Zoning Map; and Exhibit D is a copy of the Tax Map of the subject of the petition and the surrounding parcels.

FOURTH:

The subject property is Section 70.14, Block 4 Lot 15 at 576 Route 303, Blauvelt, NY 10913.

FIFTH:

Annexed hereto and marked Exhibit E is a list of names and address of all property owners within 500 ft of the properties which are the subject of this Petition as the same appears on the tax roll of the Town of Orangetown.

SIXTH:

The property, which is the subject of this Petition, comprises approximately .893 acres.

SEVENTH:

Said property is presently zoned "LO" for Laboratory Office District.

EIGHTH:

Pursuant to the Town Law of the State of New York, and the Zoning Ordinance of the Town of Orangetown, Petitioners hereby request that the Zoning Ordinance be amended to place

the properties, as described in and shown in Exhibit "C", in a "CC" Zoning District, which would allow the development of one-story commercial units within said Zone.

NINTH:

The proposed change would be compatible with the present and proposed use of adjoining and neighboring properties to the West, South and East.

TENTH:

The proposed change would be in the public interest of the residents of Town of Orangetown in that:

(A) the development of the properties in a "CC" zone would establish a new tax rateable,

(B) the development of the properties under the "CC" zone would be consistent with the general character of the immediate area surrounding the subject premises, which is previously zoned "CC",

(C) the granting of such relieve as is sought in this Petition will be the most appropriate use of the subject parcels, will promote general health and welfare of the community, will preserve property values, and will be beneficial to the owners.

ELEVENTH:

The parcels which are the subject of this Petition can best be developed under the proposed "CC" zone.

TWELFTH:

The premises are not within 500 feet of any of the following:

- (A) any county, town, or village boundary line,
- (B) any county or state park or recreation area,
- (C) any right-of-way of any state park or recreation area, expressway or other limited access highway,
- (D) any county or state land on which a public building institution is situated.

THIRTEENTH:

The overall project is within 500 feet of State Road –Route 303.

WHEREFORE, the Petitioners respectfully pray that your Honorable Board take such steps and such action as may be necessary to grant relief sought in this Petition.

Dated:

Respectfully submitted,

BY:


Gerald Bieber

“Exhibit”

A

FD-20 (12/79) Standard N.Y.S.U. Form 800 Mortgage and Sale Deed, with Government Underwriter's Act-Individual or Corporation (Single Sheet)
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT--THIS INSTRUMENT SHOULD BE DURED BY LAWYERS ONLY

36000

This indenture, made the 27th day of FEBRUARY nineteen hundred and eighty five

Between : CHARLES A. ENTWISTLE, 60 East Gramercy Street, Glenrock, New Jersey,
GEORGE ENTWISTLE, JR., 17 Hobo Street, West Nyack, New York;
MARGARET A. ENTWISTLE, 43 ROUTE 303, Blauvelt, New York; RUBY G.
KAUFFMAN, 160 North Main Street, New City, New York

party of the first part, and

GERALD BINDER and RISE BINDER, his wife, 17 Concord Drive,
New City, New York

party of the second part,

Witnesseth, that the party of the first part, in consideration of Ten Dollars and other 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, with the buildings and improvements thereon erected, situate, lying and being in the

SHE ATTACHED "SCHEDULE A" FOR DESCRIPTION:

3714

RECEIVED
\$ 360.00
REAL ESTATE
MAR 1 1985
TAX
N.Y. STATE
COUNTY

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.

~~XXXXXXXXXX~~

Ruby G. Kauffman
RUBY G. KAUFFMAN

Charles A. Entwistle
CHARLES A. ENTWISTLE

George Entwistle Jr.
GEORGE ENTWISTLE JR.

Margaret A. Entwistle
MARGARET A. ENTWISTLE

BOOK 0085 PAGE 0859

ENTIRETY BY AL to BIRSHR

SCHEDULE "A"

All those certain lots, pieces or parcels of land and premises, situate, lying and being in Blauvelt, Town of Orangetown, Rockland County, New York, known and designated as lots numbers 9, 10, 11, 12, 24, 25, 26, 27, portions of lots numbers 14 and 15 in Block 15 and the northerly one-half of a certain street known and designated as Cedar Street as a situate between Railroad Avenue and Route 303 (formerly Overlook Avenue) all as shown on a certain map entitled "Map of Property of Dr. F.H. Flagg," made by John E. Haring, Surveyor, filed in the Rockland County Clerk's Office on June 7, 1910, in Book 30 at page 334, as Map Number 366; more particularly bounded and described as follows:

BEGINNING at a point on the northwesterly side of Route 303 (formerly Overlook Avenue) where the same is intersected by the division line between lots numbers 8 and 9 on said map, now or formerly land of Gillespie;

running thence southerly along the northwesterly side of Route 303 (formerly Overlook Avenue) South $23^{\circ} 30' 00''$ West 135.94 feet to the center line of Cedar St.;

running thence along the center line of Cedar Street 300.00 feet to the southeasterly side of Railroad Avenue as shown on said map;

running thence along the southeasterly side of Railroad Avenue North $23^{\circ} 30' 00''$ East 21.06 feet and North $26^{\circ} 14' 40''$ East 104.36 feet to land now or formerly Gillespie, said line also being the division line between lots numbers 24 and 23 in Block 15 on said map;

running thence along the aforementioned division line South $69^{\circ} 34' 00''$ East 295.22 feet to the point or place of beginning.

BEING AND INTENDED TO BE the same premises conveyed to the party of the first part by deed dated July 10, 1982, recorded in the Rockland County Clerk's Office in Liber 1074 of Deeds at page 339.

BOOK 0085 PAGE 0860

STATE OF NEW YORK, COUNTY OF ROCKLAND 48:

On the 27th day of FEBRUARY 1985, before me personally came Charles A. Antwiatic, George Antwiatic Jr., Margaret A. Antwiatic and Kinsey G. Kaitlman to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same

Robert A. Phinick

ROBERT A. PHINICK
Notary Public, State of New York
No. 44-119400
Residing in Rockland County

STATE OF NEW YORK, COUNTY OF ROCKLAND 49:

On the _____ day of _____ 19____, before me personally came _____ to me known, who, being by me duly sworn, did depose and say that he resides at No. _____

That he is the _____ of _____ the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation; and that he signed his name thereto by the order

STATE OF NEW YORK, COUNTY OF _____ 55

On the _____ day of _____ 19____, before me personally came _____

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that _____ executed the same

16350.00
360 400.00

STATE OF NEW YORK, COUNTY OF _____ 56

On the _____ day of _____ 19____, before me personally came _____

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. _____

That he knows to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw _____ execute the same; and that he, said witness, at the same time subscribed his name as witness thereto

Bargain and Sale Deed
With Covenant Against Grantor's Acts
Title No. T-4688-615

405
1985

Map 93
BLOCK 859
LOT 6
TOWN OF Orangetown
COUNTY

3724

Recorded at Request of
USLIFE TITLE INSURANCE
Company of New York
RETURN BY MAIL TO

MAR
Standard Form of New York
Board of Title Underwriters
Distributed by
USLIFE TITLE INSURANCE
Company of New York

360.00

Brake, Helmut's Assoc
JAY BRAKE ESQ.
1745 WILLIAMSBRIDGE ROAD
BRONX, NEW YORK
Zip No 10461

RESERVE THIS SPACE FOR
USE OF RECORDING OFFICE

I HEREBY CERTIFY THAT THE WITHIN
AND FOREGOING WAS RECORDED IN THE
CLERK'S OFFICE FOR ROCKLAND CO., N.Y.
MAR 1 1985 AT 4:05 P.M.
IN LIST 85 PAGE 359 OR
LAND RECORDS

Joseph R. Hallowell
Rockland County Clerk

14.00
677.00
1000.00

BOOK 0085 PAGE 0861

“Exhibit”

B

AUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. PARANTEES OR CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

ING LOTS 9, 10, 11, 12, 24, 25, 26, 27, PART OF LOTS 14 & 15 AND THE NORTHERLY HALF OF CEDAR STREET SITUATED BETWEEN OVERLOOK AVENUE (ROUTE 303) AND RAILROAD AVENUE AS SHOWN ON "A MAP ENTITLED "MAP OF PROPERTY OF DR. F.H. FLAGGE" FILED IN THE HOCKLAND COUNTY CLERK'S OFFICE ON JUNE 7, 1910, IN BOOK AT PAGE 354, AS MAP NUMBER 366.

RAILROAD AVENUE
(UNIMPROVED)

N23°30'00"E 21.06
N26°14'00"E 104.36

299.80 (DEED)
300.00 (MEAS.)

EASEMENT PER DEED
LIBER 763 AT PAGE 269

576 RT 303

295.22 (MEAS.)
295.16 (DEED)



N/F LANHAM

FORMERLY
CEDAR ST.

N 66°30'00" W

GRAVEL
DRIVEWAY

GARAGE
GAR
PORT

2 1/2 STORY
FRAME
DWEELLING

WOOD
PORCH

S 68°34'00"E

N/F GILLESPIE

S 23°30'00" W 135.94

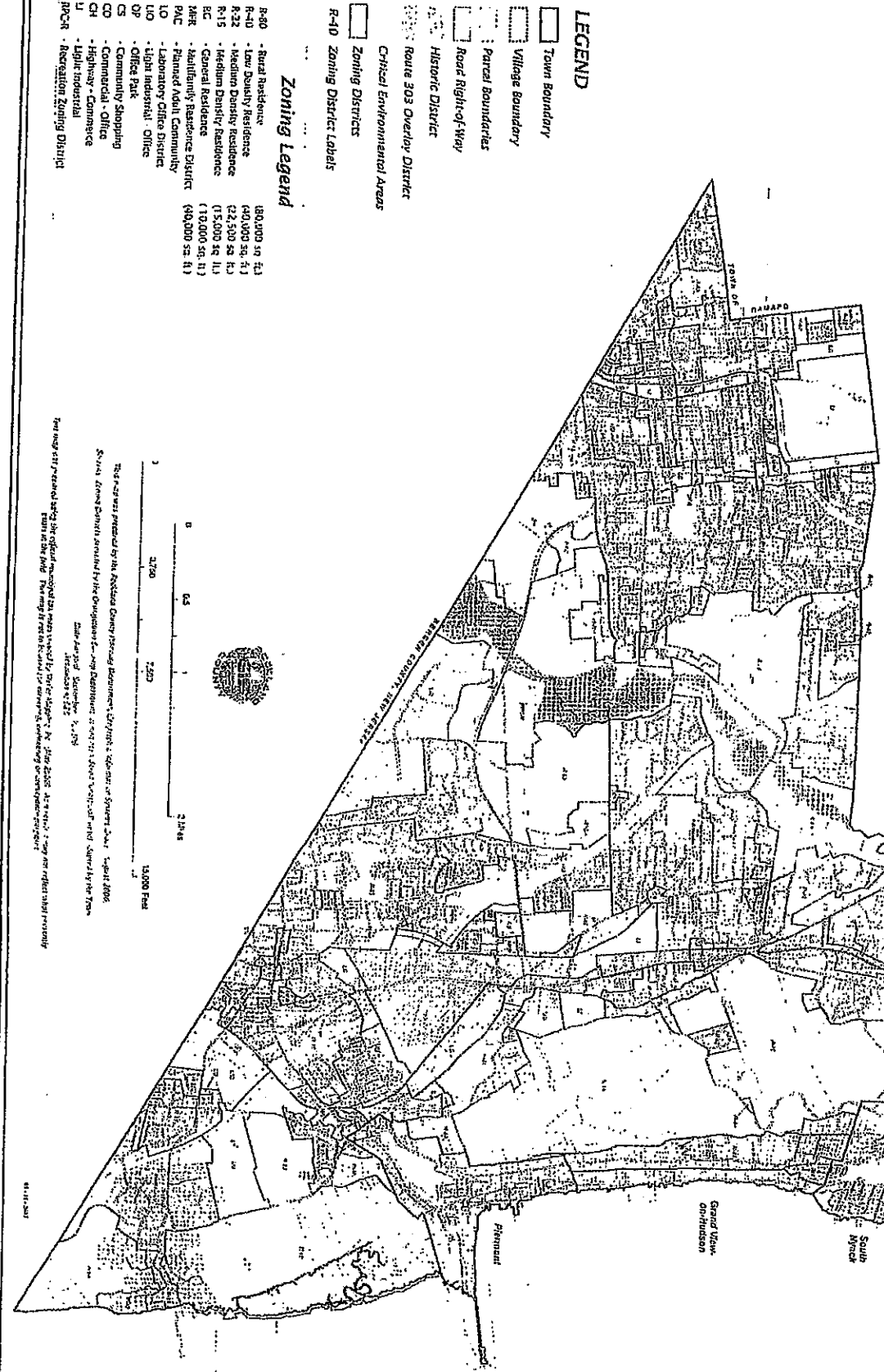
ROUTE 303
(FORMERLY OVERLOOK AVE.)

“Exhibit”

C

TOWN OF ORANGETOWN

Rockland County, NY ZONING



LEGEND

- Town Boundary
- Village Boundary
- Parcel Boundaries
- Road Right-of-Way
- Historic District
- Route 303 Overlay District
- Critical Environmental Areas
- Zoning Districts
- Zoning District Lobes

Zoning Legend

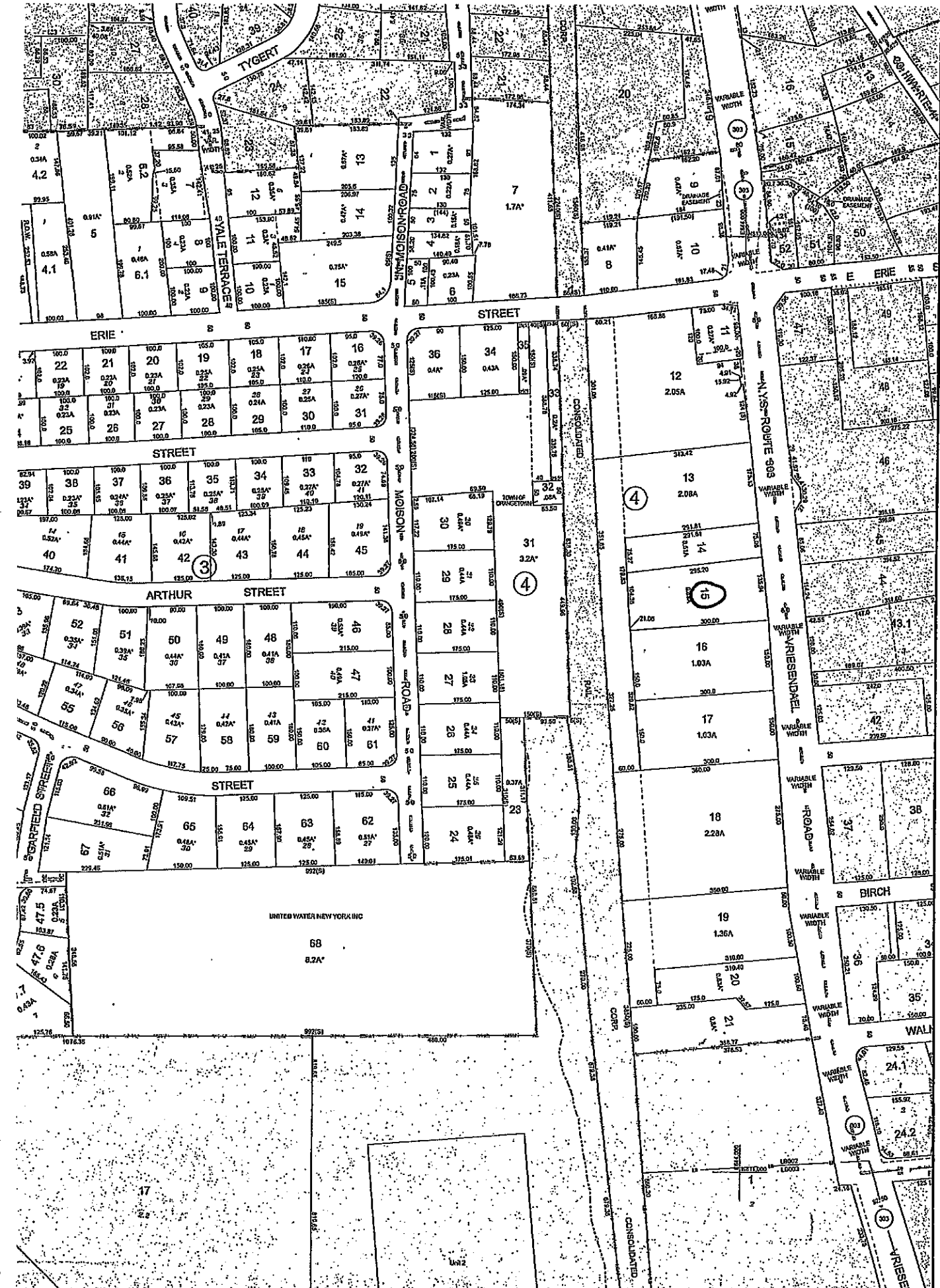
R-80	- Rural Residence	(80,000 sq ft)
R-40	- Low Density Residence	(40,000 sq ft)
R-22	- Medium Density Residence	(22,500 sq ft)
R-15	- Medium Density Residence	(15,000 sq ft)
RG	- General Residence	(10,000 sq ft)
RHC	- Handicraft Residence District	(40,000 sq ft)
PAC	- Planned Adult Community	
LO	- Laboratory Office District	
OP	- Office Park	
CS	- Community Shopping	
CO	- Commercial Office	
CH	- Highway Commerce	
LI	- Light Industrial	
RPOC	- Recreation Zoning District	

This map was prepared by the Rockland County Planning Department, City of Orangetown, New York, 2008. All zoning codes and district boundaries are shown as of 1/1/08. The map is not to be used for any other purpose. The map is not to be used for any other purpose. The map is not to be used for any other purpose.



“Exhibit”

D

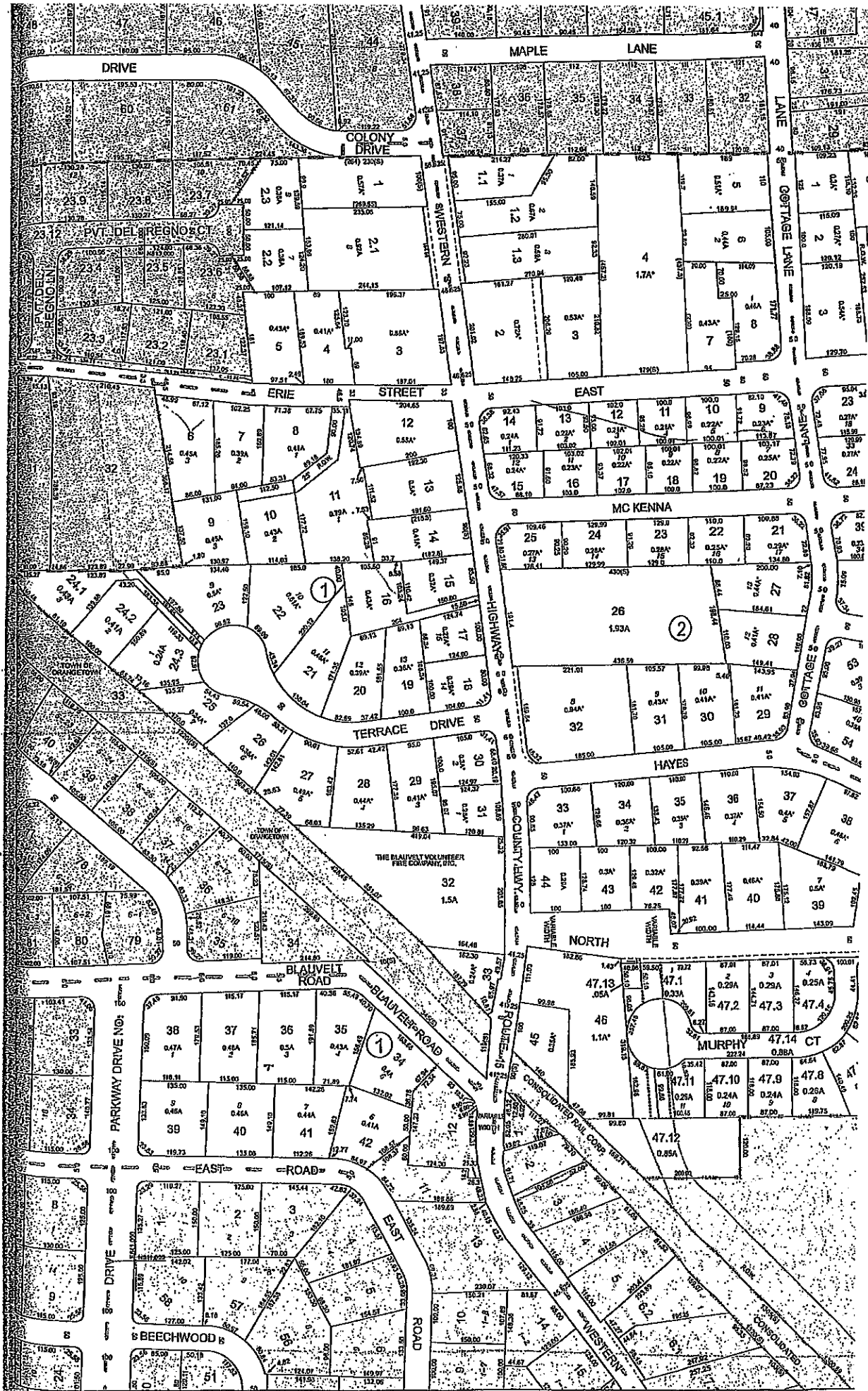


70.09	70.10	70.11
70.13	70.15	70.19
70.17	70.18	70.19

REVISED THROUGH
FEBRUARY 28, 2014
 This map was prepared for TAX PURPOSES only and is not
 to be reproduced or used for surveying or conveying.

TAX MAP
TOWN OF ORANGETOWN
 ROCKLAND COUNTY, NEW YORK

70.14



MAP REVISIONS			SCHOOL AND SPECIAL DISTRICTS			COUNTY OF ROCKLAND		
DATE	MADE BY	REVISIONS	DATE	MADE BY	REVISIONS	SCHOOL #	SPECIAL DISTRICT	PROPERTY TYPE
2001	SEF	DRIVE W. & PCL. 37						HOPE
1994	SPD	ADDED R.O.A. PCL. 37						HOPE
1994	MSR	ADDED R.O.A. PCL. 33, 34, 35, 36						HOPE

“Exhibit”

E

(19)
(6 posters)
*G.M.L. RENEW

392489 70.14-4-11
Jirko Inc
P.O. Box 945
Nyack, NY 10960

392489 70.14-4-12
Kirchner Family Enterprises LP
P.O. Box 945
Nyack, NY 10960

✓ 392489 70.14-4-13
Westshore Plaza LLC
P.O. Box 670445
Flushing, NY 11367

392489 70.14-4-14
Paul W Valentine
20 Buttonwood Pl
Blauvelt, NY 10913

* 392489 70.14-4-15
Gerald Bieber
27 Snowdrop Dr
New City, NY 10956

✓ 392489 70.14-4-16
Joseph F Menschik
209 Wanamaker Ln
Nyack, NY 10960-1427

✓ 392489 70.14-4-17
Kevin J Ramsay
572 Rte 303
Blauvelt, NY 10913

392489 70.14-4-18
Woon Gwang Church
570 Rte 303
Blauvelt, NY 10913

392489 70.14-4-23
Blauvelt Mini Mall Inc
4 Revere Ct
Old Tappan, NJ 07675

392489 70.14-4-26
Gary T Haley
74 S Moison Rd
Blauvelt, NY 10913

✓ 392489 70.14-4-27
John Koch
64 Moison Rd S
Blauvelt, NY 10913

✓ 392489 70.14-4-28
Patrick J Higgins
54 S Moison Rd
Blauvelt, NY 10913

392489 70.14-4-29
John T Genovese
44 S Moison Rd
Blauvelt, NY 10913

✓ 392489 70.14-4-30
Silvia Cirstea
26 S Moison Rd
Blauvelt, NY 10913

✓ 392489 70.14-4-31
Blauvelt Mini Mall Inc
4 Revere Ct
Old Tappan, NJ 07675

392489 70.14-4-32
Town Of Orangetown
26 Orangeburg Rd
Orangeburg, NY 10962

✓ 392489 70.14-4-33
Blauvelt Realty Partners Inc
4 Revere Ct
Old Tappan, NJ 07675

392489 70.14-4-34
Blauvelt Mini Mall Inc
4 Revere Ct
Old Tappan, NJ 07675

392489 70.14-4-35
Blauvelt Mini Mall Inc
4 Revere Ct
Old Tappan, NJ 07675

392489 70.15-1-37
Federal National Mortgage
45 Hickory St
Blauvelt, NY 10913

✓ 392489 70.15-1-41
John A Mac Kenzie
68 Hickory St
Blauvelt, NY 10913

392489 70.15-1-42
Daniel Santos
567 Rte 303
Blauvelt, NY 10913

✓ 70.15-1-43.1
Jamal Kibria
4 Finnegan Ln.
Montebello, NY 10901

✓ 392489 70.15-1-44
Seventh Day Adventist of NY
P.O. Box 5029
Manhasset, NY 11030

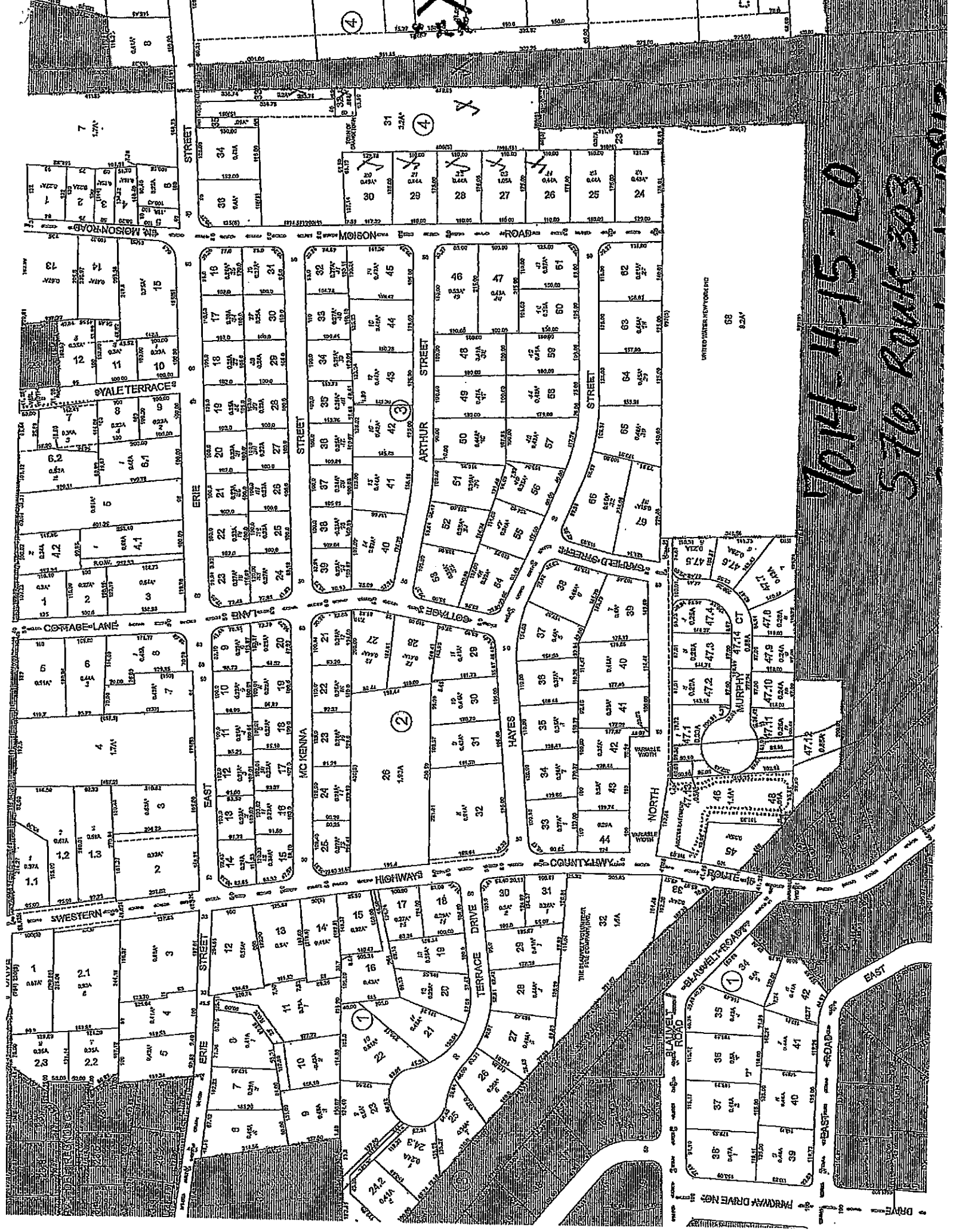
392489 70.15-1-45
Antonio Cuomo
575 Rte 303
Blauvelt, NY 10913

✓ 392489 70.15-1-46
Toscany Inc
577 Rte 303
Blauvelt, NY 10913

392489 70.15-1-47
George Boghos
579 N Route 303
Blauvelt, NY 10913

392489 70.15-1-48
HTS Properties LLC
251 E Erie St
Blauvelt, NY 10913

CSX Railroad
500 Water Street
Jacksonville, FL 32202



1014-4-15-20
570 ROWK 303

