

A LOCAL LAW TO ESTABLISH A COMMUNITY CHOICE AGGREGATION PROGRAM FOR THE TOWN OF ORANGETOWN

Be it enacted by the Town Board of the TOWN OF ORANGETOWN as follows:

Section 1. The Code of the Town of Orangetown is hereby amended by adding a new Chapter 7C, entitled “COMMUNITY CHOICE AGGREGATION PROGRAM,” to read as follows:

ARTICLE I

§7C-1. Legislative Findings; Intent and Purpose; Authority.

- A. It is the policy of both the Town of Orangetown and the State of New York to reduce costs and provide price certainty for the purpose of consumer protection and economic development, to expand access and opportunities for consumers in retail energy markets, as well as to promote the sustainability and resilience of energy systems through the proliferation of renewable energy, energy efficiency, and Distributed Energy Resources. Among the initiatives that may advance these objectives in New York is Community Choice Aggregation (Hereinafter “CCA”), a policy that empowers local governments to select the source of electricity and/or natural gas supply on behalf of its residents and small businesses, reflecting local resources, priorities, and challenges. Energy delivery shall remain the responsibility of the Distribution Utility.
- B. This Chapter establishes the authority for the Town of Orangetown, in connection with the implementation a CCA Program, to acquire utility data; to select, through competitive solicitation, one or more energy Supplier(s) on behalf of Participating Customers within the Town of Orangetown; and to maximize value for Participating Customers through enhanced services related to Distributed Energy Resources. The Town may choose to collaborate with other local governments to form an intermunicipal CCA Program. By establishing a CCA Program, Participating Customers will have the opportunity to lower and stabilize their energy costs, to spur local clean energy innovation and investment, and to reduce their environmental impact; thereby, fulfilling the purposes of this Chapter and fulfilling an important public purpose.
- C. The Town of Orangetown is authorized to implement this COMMUNITY CHOICE AGGREGATION PROGRAM pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law; and consistent with State of New York Public Service Commission Case No. 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued April 21, 2016) as may be amended, including subsequent orders of the Public Service Commission issued in connection with or related to Case No. 14-M-0224.
- D. This Chapter shall be known and may be cited as the “COMMUNITY CHOICE AGGREGATION PROGRAM Law of the Town of Orangetown”.

§7C-2. Definitions.

For purposes of this Chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this Chapter shall have the meanings employed in the State of New York Public Service Commission's Uniform Business Practices or, if not so defined there, as indicated herein:

- A. **AGGREGATED DATA** means aggregated and anonymized information relating to electricity and/or gas consumption including, but not limited to, the number of consumers by service and rate class, the aggregated peak demand (kW) (for electricity) by month for the past 12 months by service and rate class, and the aggregated energy (kWh) for electricity or volumetric consumption for gas by month for the past 12 months by service and rate class.
- B. **COMMUNITY CHOICE AGGREGATION PROGRAM** or **CCA Program** means the Community Choice Aggregation Program enabled by this Local Law.
- C. **CCA ADMINISTRATOR** means Town of Orangetown or third party CCA administrator duly authorized to administer the CCA Program including without limitation to request Aggregated Data and Customer Specific Data; to competitively solicit Suppliers for the aggregated demand for electricity and/or natural gas on behalf of Default Consumers; and to offer Participating Customers additional opportunities to participate or enroll in programs or projects related to DER. The CCA Administrator shall be responsible for program organization, administration, procurement, communications, and for meeting all requirements for program implementation specified in the PSC CCA Order, unless otherwise specified.
- D. **CUSTOMER SPECIFIC DATA** means customer-specific information, personal data and utility data for Default Customers including customer of record's name, mailing address, telephone number, account number, and primary language, if available, and any customer-specific alternate billing name, address, and phone number.
- E. **DEFAULT CUSTOMER** means a consumer of electricity and/or natural gas services within opt-out eligible service classes (as delineated in the PSC CCA Order), who receives supply service from the Distribution Utility as of the date that the Supply Contract goes into effect, or a consumer within these service classes who subsequently becomes eligible to become a Participating Customer in the CCA Program including a consumer who has terminated a supply contract with an ESCO; a consumer who has removed a freeze or block on consumer's account; a consumer who has voluntarily suspended service pursuant to a special rate; or a consumer who becomes a new resident of the Town of Orangetown after the Supply Contract goes into effect. None of the following are considered a Default Customer and will not be enrolled on an opt-out basis: a consumer within opt-out eligible service classes who receives supply service from an ESCO as of the date that the Supply Contract goes into effect; a consumer who has placed a freeze or block on consumer's account; and a consumer for whom enrollment in the CCA Program would interfere with a choice consumer had already made to take service pursuant to a special rate. For the avoidance of doubt, a Default Customer must reside or be otherwise located at one or more locations within the geographic boundaries of the Town of Orangetown, as such boundaries exist as of the date the Supply Contract goes into effect.

- F. **DISTRIBUTED ENERGY RESOURCES** or **DER** means local renewable energy projects, community distributed generation (e.g. shared solar), peak demand management, energy efficiency, demand response, energy storage, community resilience microgrid projects, and other innovative Reforming the Energy Vision (“REV”) initiatives of the State of New York that further engage and/or reduce cost of service for Participating Customers, optimize system benefits, and/or address infrastructure and demand challenges within geography of the CCA Program.
- G. **DISTRIBUTION UTILITY** means the owner or controller of the means of distribution of the natural gas or electricity in the Town of Orangetown. The Distribution Utility also serves as the default supplier of electricity and natural gas preceding the establishment of a CCA Program.
- H. **ESCO** or **ENERGY SERVICES COMPANY** means an entity duly authorized to conduct business in the State of New York as an ESCO
- I. **MUNICIPALITY** means the Town of Orangetown.
- J. **PARTICIPATING CUSTOMERS** means Default Customers of the CCA Program who have not opted out, and non-Default Customers of any service class who have voluntarily enrolled in the CCA Program.
- K. **PSC CCA ORDER** means the PSC’s Order Authorizing Framework for Community Choice Aggregation Opt-Out Program, issued on April 21, 2016 in Case 14-M-0224, “Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs.”
- L. **PUBLIC SERVICE COMMISSION** or **PSC** means the New York State Public Service Commission.
- M. **SUPPLIER** means an ESCO that procures electric power and/or natural gas for Participating Customers in connection with this Chapter or, alternatively, a generator of electricity and/or natural gas or other another entity that procures and resell electricity or natural gas.
- N. **SUPPLY CONTRACT** means a contract for the supply of electric power or natural gas entered into between a Supplier and the Town of Orangetown.
- O. **SUPPLY CONTRACT DATE** means the date when electric power and/or natural gas is first delivered to Participating Customers in connection with the CCA Program.

§7C-3. Authorization of a Community Choice Aggregation Program.

- A. A Community Choice Aggregation Program is hereby authorized by the Town of Orangetown, which the Municipality may implement to the full extent permitted by the PSC CCA Order, as set forth more fully herein.
- B. The Town of Orangetown may enter into contracts with one or more Suppliers and other providers of services on behalf of Participating Customers.

- C. The Town of Orangetown may enter into agreements and contracts with other municipalities, non-profits, consultants, and/or other third parties to i) develop and implement the CCA Program, ii) act as CCA Administrator, and/or iii) develop offers of opt-in DER products and services to Participating Customers.
- D. The operation and ownership of the utility service shall remain with the Distribution Utility. The Town of Orangetown's participation in the CCA Program constitutes neither the purchase of a public utility system, nor the furnishing of utility service. The Town of Orangetown shall not take over any part of the electric or gas transmission or distribution system and shall not furnish any type of utility service, but will instead negotiate with Suppliers on behalf of Participating Customers.
- E. The Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the Uniform Business Practices, which includes rules relating to the eligibility of participating ESCOs, the operation by which ESCOs provide energy services, and the terms on which customers may be enrolled with ESCOs.

§7C-4. Eligibility.

- A. All Default Customers shall be enrolled on an opt-out basis. Default Customers will have the right to opt out before the Supply Contract goes into effect, or dis-enroll any time thereafter with no penalty. Default Customer who do not opt out before the Supply Contract goes into effect will be enrolled automatically.
- B. All non-Default Customers within the Town of Orangetown, regardless of service class, shall be eligible to participate in the CCA Program on an opt-in basis.
- C. The CCA Administrator shall issue one or more requests for proposals to Suppliers to provide energy to participants and may then award a contract in accordance with the CCA Program, this Local Law, and the PSC CCA Order.

§7C-5. Opt-Out Process.

- A. The CCA Administrator shall cause the mailing of a program notification letter, printed on municipal letterhead, to Default Customers at least 30 days prior to customer enrollment. The letter shall include information on the CCA Program and the Supply Contract signed with the selected Supplier(s) including specific details on rates, services, contract term, and methods for opting out of the CCA Program. The letter shall explain that Default Customers who do not opt out will be enrolled in the CCA Program under the Supply Contract terms and that information on those customers, including energy usage data, will be provided to the ESCO.
- B. After the 30 day opt-out period, all Participating Customers shall have the option to disenroll from the CCA Program at any time without penalty.

§7C-6. Data Protection Requirements.

- A. CCA Administrator may request Aggregated Data and Customer Specific Data from the Distribution Utility.

- B. Customer Specific Data shall be protected in a manner compliant with, collectively, (i) all national, state and local laws, regulations or other government standards relating to the protection of information that identifies or can be used to identify an individual Default Customer or Participating Customer that apply with respect to the Town of Orangetown or its representative's processing of confidential utility information; (ii) the Distribution Utility's internal requirements and procedures relating to the protection of information that identifies or can be used to identify an individual Default Customer or Participating Customer that apply with respect to the Town of Orangetown or its representative's processing of confidential utility information; and (iii) the PSC CCA Order and PSC rules, regulations and guidelines relating to confidential data. The Town of Orangetown shall enter into an agreement with the Distribution Utility that obligates each party to meet the above provisions of this paragraph.

§7C-7. Administration Fee.

The CCA Administrator may collect, or cause to be collected, funds from Participating Customer payments to pay for administrative costs associated with operating the CCA Program.

§7C-8. Reporting.

- A. The CCA Administrator shall prepare and file with the Town of Orangetown Town Board an annual report by March 31 of each year concerning the operations of the CCA Program for the previous calendar year.
- B. Each annual report shall include, at a minimum, the following: number of Participating Customers served; number of Participating Customers cancelling; number of complaints received; commodity prices paid; value-added services provided (e.g. installation of DER or other clean energy services); and administrative costs collected. The first annual report shall also include the number of customers who opted-out in response to the initial opt-out letter or letters.
- C. If a Supply Contract will expire less than one year following the filing of an annual report, the report shall describe current plans for soliciting a new Supply Contract, negotiating an extension, or terminating the CCA Program.

§7C-9. Effective Date.

This Local Law shall be effective immediately upon passage.

§7C-10. Severability.

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.



Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970

Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

September 20, 2019

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data:

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

Map Date:

Date Review Received: 8/30/2019

Item: *ORANGETOWN - SOLAR ENERGY LOCAL LAW (O-2386)*

Local Law to provide for the definition, installation, and use of solar energy generating systems and equipment.

Throughout the Town

Reason for Referral:

State and County roads, parks and facilities; County streams; Long Path Hiking Trail; Town of Clarkstown; Villages of Chestnut Ridge, Grand View-on-Hudson, Nyack, Piermont, and South Nyack

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

**Recommend the following modifications*

The Rockland County Planning Department supports local efforts to encourage the growth, development, and use of renewable energy sources, such as solar power. The economic and environmental challenges presented by climate change will have significant consequences for Rockland County and its residents. As recommended in the 2011 Rockland County Comprehensive Plan, the County should "Employ all available tools to address climate change" (p. 142). In support of this measure, we offer the following comments:

1. The Model Solar Energy Local Law provided by the New York State Energy Research and Development Authority, which this Local Law seems to be based on, includes lot size requirements and parcel line setbacks for Tier 3 Ground-Mounted Solar Energy Systems in appendices 1 and 2, respectively. These are important to include as they ensure there is enough land area and proper setbacks for the Ground-Mounted Solar Energy Systems. Without these restrictions, a height of 15 feet for Tier 3 Systems in residential low density zoning districts may be too high, restrict views from surrounding properties, and may have a visual impact to the adjacent neighbors.

TOWN OF ORANGETOWN

ORANGETOWN - SOLAR ENERGY LOCAL LAW (O-2386)

2 The proposed text makes reference to Appendices 3 and 4, without mention of 1 or 2. In addition, Appendices 1 and 2 were not provided. These must be provided and appropriately referenced within the Local Law. If Appendix 1 or 2 do not exist, Appendices 3 and 4, and their references thereof, shall be renumbered to 1 and 2, respectively.

3 Examples of Tier 3 Solar Energy Systems shall be provided in Section 17.3.C.

4 Section 17.7.D. deals with screening and visibility of Tier 2 Solar Energy Systems. This section states that these systems shall have their views minimized from adjacent properties and that their equipment shall be located in a manner to reasonably avoid or minimize blockage of views from surrounding properties and shading of property to the north. However, no example of how to do this is provided. A way to minimize the view of Tier 2 Solar Energy Systems and their equipment shall be included in a manner similar to what is presented in Section 17.8.J.6)a. for screening and visibility of Tier 3 Solar Energy Systems.

5 Section 17.8.D.1) restricts the manufacturer's name, equipment specification information, safety information, and 24-hour emergency contact information to signage with an area no greater than 8 square feet. Following this, Section 17.8.D.2) states "disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface." It is unclear whether this information also has restrictions on the area it may occupy. In addition, the "light reflective surface" may contradict with the measures to reduce glare, as outlined in Section 17.8.E. A size restriction shall be specified for this information so as to minimize the effects of glare.

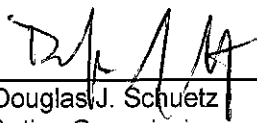
6 A review shall be completed by the County of Rockland Office of Fire and Emergency Services and any comments addressed since these facilities alter rooftop and yard accessibility and how potential fires are extinguished.

7 The following additional comments address minor typographical errors within the Law:

a. Section 17.6.A.1)a., the word "and" is missing between the words "surface" and "the" and should read "...between the roof surface and the highest edge of the system."

b. Section 17.8.H.2)b., the word "and" is missing between the words "System" and "any" and should read "...the Solar Energy System and any ancillary structures."

c. Section 17.8.J.6)b.II.i., the word "of" is missing between the words "comprised" and "evergreen" and should read "...The landscaped screening shall be comprised of evergreen trees..."



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
New York - New Jersey Trail Conference
New York State Department of Environmental Conservation
New York State Department of Transportation
Palisades Interstate Park Commission
Rockland County Department of Highways
Rockland County Drainage Agency
Rockland County Office of Fire and Emergency Services
Rockland County Division of Environmental Resources

Town of Clarkstown
Villages of Chestnut Ridge,
Grand View-on-Hudson, Nyack,
Piermont, South Nyack

ORANGETOWN - SOLAR ENERGY LOCAL LAW (O-2386)

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

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

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

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

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

TOWN OF ORANGETOWN
2019 SEP 26 A 10:36
TOWN CLERK'S OFFICE

Town of Orangetown Town Board

Date: August 27, 2019

Response to request that the Town of Orangetown Town Board be designated to serve as Lead Agency for the:

PURSUANT TO NY GML - PROPOSED CHANGE TO THE CODE OF THE TOWN OF ORANGETOWN, CHAPTER 43, ARTICLE IV, LOT AND BULK CONTROLS FOR PAC DEVELOPMENTS

The Village of Nyack agrees to the designation of the Town Board of the Town of Orangetown as lead agency for the above-referenced project.

9/16/19
Date

Robert James Galvin, ACEP
(Signature)

ROBERT JAMES GALVIN, Village Planner
(Print Name and Title)

Village of Nyack Planning Dept / Building Dept.
(Name of Agency)

Encl.

Town of Orangetown Town Board

Date: August 26, 2019

Response to request that the Town of Orangetown Town Board be designated to serve as Lead Agency for the:

RE: PURSUANT TO NY GML – PROPOSED CHANGE TO THE CODE OF THE TOWN OF ORANGETOWN, CHAPTER 43, ARTICLE IV, LOT AND BULK CONTROLS FOR PAC DEVELOPMENTS

The Orangetown Planning Board agrees to the designation of the Town Board of the Town of Orangetown as lead agency for the above-referenced project.

September 16, 2019
Date



(Signature)

Thomas Warden

(Print Name and Title)

Town of Orangetown Planning Board
(Name of Agency)

Encl.

LOCAL LAW NO. ____ OF 2019 OF THE
INCORPORATED TOWN OF ORANGETOWN, NEW YORK
TOWN BOARD TO AMEND THE TOWN CODE WITH RESPECT TO PLANNED ADULT
COMMUNITY ZONING

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ORANGETOWN AS
FOLLOWS:

Section 1.

Article IV of Chapter 43 of the Town Code entitled “Zoning”, §4.69 (B) providing for Lot and Bulk controls for PAC developments is amended as follows (Additions are underlined, deletions are ~~stricken~~):

4.69 Lot and bulk controls for PAC developments.

B. Potential redevelopment sites within a CS District.

(1) For eligible hamlet center sites physically located within a CS specified zoning district in Blauvelt, Tappan, Orangeburg, Sparkill and Pearl River, the Town Board may modify lot and bulk controls as part of its consideration of the rezoning to PAC, provided such modifications are designed to ensure compatibility with the building context of the CS District and areas adjacent to the subject site, including building setbacks to maintain the contextual streetscapes. Building context shall be determined by the Town Board through the review of actual dimensions (lot and bulk) for adjacent buildings and buildings across the street from the proposed redevelopment site. **Notwithstanding the foregoing, the Town Board may only modify the minimum lot area, maximum floor area ratio and/or maximum density, by a vote of a majority plus one of all the members thereof, whether present or not.**

(2) In order to ensure contextual development in terms of use, the ground-floor area of redevelopment sites shall include retail, personal service, restaurant or office use.

~~(3) Notwithstanding the contextual flexibility, the minimum lot area shall be 40,000 square feet, the maximum floor area ratio shall be 0.45 and the maximum density shall not exceed seven dwelling units per acre (six base density units plus up to one potential bonus unit per acre as otherwise specified herein).~~

Section 2. Severability Clause

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid parts.

Section 3. Effective Date.

This Local Law shall become effective immediately upon being filed with the Secretary of State.

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

-----X

IN THE MATTER OF THE

PETITION OF

RYERSON FARMS, LLC
350 BOXBERGER ROAD
VALLEY COTTAGE, NEW YORK

AMENDMENT TO THE ZONING ORDINANCE
OF THE TOWN OF ORANGETOWN FROM AN
"LO" & "R40:" DISTRICT TO AN "MFR" DISTRICT

-----X

PETITION

TO THE TOWN BOARD OF
THE TOWN OF ORANGETOWN

The undersigned petitioner respectfully petitions your Honorable Board as follows:

FIRST:

Ryerson Farms LLC. is the contract purchaser of property located west of Greenbush Road and East of NYS Route 303 in the hamlet of Blauvelt, more particularly bounded and described in Addendum A annexed hereto.

SECOND:

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

<u>Section</u>	<u>Block</u>	<u>Lot</u>
65.15	1	1

THIRD:

Annexed hereto and marked Exhibit A is a copy of the Vicinity and Zoning Map, Exhibit B is a copy of the Area Use Map, and Exhibit C is a copy of a Map of the Tax Lot which is the subject of the Petition and of the surrounding parcels.

FOURTH:

Annexed hereto and marked Addendum B is a list of names and addresses of all owners owning property within 500 feet of the property which is the subject of this application as the same appears on the tax roll of the Town of Orangetown.

FIFTH:

That the property which is the subject of this Petition comprises approximately 17.32 acres.

SIXTH:

The property is currently vacant.

SEVENTH:

Said property is presently zoned "LO" and "R40."

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 aforesaid real property, as described and shown in Exhibit C, in an "MFR" Zoning District which would allow the development of multifamily residences within said zone.

NINTH:

That said proposed change would be compatible with the uses in the adjoining and neighboring properties. Further, this would be the most practical way, economically and

beneficially, in which the property could be utilized. There appears to be no other permitted use under the present zoning that will bring a fair return on the property.

TENTH:

That said proposed use would be in the public interest of the residents of the Town of Orangetown, in that:

(a) the development of the property under an “MFR” Zone would establish a substantial tax ratable for the Town of Orangetown;

(b) the development of the property under an “MFR” Zone would fill a need for the residents of the Town of Orangetown;

(c) the development of the parcel under an “MFR” Zone would permit the developers to install needed water and sewer facilities to this area; and the granting of such relief as is sought in this Petition will be the most appropriate use of the subject parcel, and will preserve property values and will be beneficial to the owners.

(d) As proposed the development of the parcel will use a limited amount of the realty (9.5 acres) and the residual acreage will be donated to the Town of Orangetown (7.82 acres).

ELEVENTH:

That the parcel which is the subject of this Petition can best be developed under the proposed “MFR” Zone.

TWELFTH:

The subject property is located within 500 feet of the following:

(a) a state road - Route 303;

(b) a county road - North Greenbush Road;

(c) a Town Line - Town of Clarkstown and Town of Orangetown.

THIRTEENTH:

That the subject premises are not within 500 feet of any of the following:

- (a) any city or village boundary line;
- (b) any state park or recreation area;
- (c) any right-of-way of any state park or recreation area;
- (d) any county or state owned land on which a public building or institution is

situated.

FOURTEENTH:

Brendan Cunney, the V.P. of Rathmagurry Realty, Inc., owner of the property described in the petition submitted to the Town Board of the Town of Orangetown, do hereby give permission to the contract purchaser to file this petition for Zone Change.

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

Dated: June 14, 2019

Respectfully Submitted,

RYERSON FARMS, LLC

BY: William Brodsky
WILLIAM BRODSKY

RATHMAGURRY REALTY, INC.

BY: Brendan Cunney
BRENDAN CUNNEY

Addendum A

Addendum A

Tax Lot Section 65.15 Block 1 Lot 1

BEGINNING at an iron pin on the easterly right of way of NYS Route 303, said iron pin marking the northwesterly corner of the lands described herein, and being formed by the intersection of the boundary line between the Town of Orangetown on the south and the Town of Clarkstown on the north, and running thence:

1. Along said boundary line between the Town of Orangetown and the Town of Clarkstown, N 85°09'55" E distant 280.10 feet to an iron pipe; thence
2. Along the westerly right of way of Greenbush Road the following four courses and distances:
 - a. S 5°35'30" W distant 716.42 feet to a Rockland County Monument; thence
 - b. S 5°15'15" W distant 556.89 feet; thence
 - c. Southwesterly, on a curve to the right having a radius of 905.41 feet and an arc length of 156.04 feet to a Rockland County Monument; thence
 - d. S 15°07'45" W distant 347.81 feet; thence
3. Along the northerly line of lands n/f Arri Inc. (Tax Lot 65.19-1-1), N 71°15'00" W distant 694.10 feet to an iron rebar, and a non-tangent point on a curve; thence
4. Along the easterly right of way of NYS Route 303, the following three courses and distances:
 - a. Northeasterly, on a curve to the left having a radius of 1,668.11 feet and an arc length of 433.71 feet, with a chord bearing of N 31°08'32" E; thence
 - b. N 23°49'34" E distant 630.00 feet to a point of curvature; thence
 - c. Northeasterly, on a curve to the left having a radius of 1,678 feet and an arc length of 583.39 feet, back to the point or place of BEGINNING.

Addendum B

ADDENDUM B - PAGE 1 OF 4

RYERSON FARMS, LLC. - 636 GREENBUSH ROAD
BLAUVELT, NEW YORK

REPUTED OWNERS WITHIN 500 FEET

<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>	<u>OWNER/MAILING ADDRESS</u>
65.14	1	2	Kingship Realty LLC 634 Rte 303 Blauvelt, NY 10913
65.14	1	6	Grace Realty Holdings LLC 634 Rte 303 Blauvelt, NY 10913
65.14	1	9	F.M.L. Realty Rockland LLC 628 Rte 303 Blauvelt, NY 10913
65.15	1	3.2	Robert Zerilli 601 N Greenbush Rd Blauvelt, NY 10913
65.15	1	6	County of Rockland 11 New Hempstead Rd New City, NY 10956
65.18	1	8	Arriflex Corp. 617 Rte 303 Blauvelt, NY 10913
65.19	1	21	Victor Armaniaco 577 N Greenbush Rd Blauvelt, NY 10913
65.19	1	24	Vincent Carioscia Jr 583 N Greenbush Rd Blauvelt, NY 10913
65.14	1	3	Kingship Realty LLC 634 Rte 303 Blauvelt, NY 10913

ADDENDUM B - PAGE 2 OF 4

RYERSON FARMS, LLC. - 636 GREENBUSH ROAD
BLAUVELT, NEW YORK

REPUTED OWNERS WITHIN 500 FEET

<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>	<u>OWNER/MAILING ADDRESS</u>
65.14	1	7	Sun O Kim 491 Route 304 Bardonia, NY 10954
65.15	1	2	James Maris 609 N Greenbush Rd Blauvelt, NY 10913
65.15	1	4	County of Rockland County Office Building New City, NY 10956
65.18	1	9	Advanced Manolta LLC 105-107 Stonehurst Ct Northvale, NJ 07467
65.19	1	19	Town of Orangetown 26 Orangetown Rd Orangetown, NY 10962
65.19	1	22	Chester F Lubeck 581 N Greenbush Rd Blauvelt, NY 10913
65.19	1	25	Lisa M Runco 18 Pine Glen Dr Blauvelt, NY 10913
65.14	1	5	Japa Inc 632 Rte 303 Blauvelt, NY 10913
65.14	1	8	Sarah Winikoff 626 Rte 303 Blauvelt, NY 10913

ADDENDUM B - PAGE 3 OF 4

RYERSON FARMS, LLC. - 636 GREENBUSH ROAD
BLAUVELT, NEW YORK

REPUTED OWNERS WITHIN 500 FEET

<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>	<u>OWNER/MAILING ADDRESS</u>
65.14	1	10	Samaritan Daytop Foundation 138-02 Queens Blvd Briarwood, NY 11435
65.15	1	3.1	Greenbush Road LLC 75 Michael Roberts Dr. Pearl River, NY 10965
65.18	1	7	LIA Realty LLC 1258 Central Ave Albany, NY 12205
65.19	1	1	Arriflex Corp. 617 Rte 303 Blauvelt, NY 10913
65.19	1	20	Peter Solari 573 N Greenbush Rd Blauvelt, NY 10913
65.19	1	23	Anthony S Vaccaro 589 N Greenbush Rd Blauvelt, NY 10913
65.19	1	26	Patrick Trozzo 20 Pine Glen Dr Blauvelt, NY 10913
65.19	1	27	Carlo Minuto 22 Pine Glen Dr Blauvelt, NY 10913
65.19	1	28	George Alierio 24 Pine Glen Dr Blauvelt, NY 10913

ADDENDUM B - PAGE 4 OF 4

RYERSON FARMS, LLC. - 636 GREENBUSH ROAD
BLAUVELT, NEW YORK

REPUTED OWNERS WITHIN 500 FEET

<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>	<u>OWNER/MAILING ADDRESS</u>
65.14	1	4	TRS Realty LLC 634 Rte 303 Blauvelt, NY 10913
65.14	1	11.3	Golden Crust Rockland LLC 3958 Park Ave Bronx, NY 10457 Town of Clarkstown 10 Maple Ave New City, NY 10956 Attn: Planning Dept.

Exhibit A

Vicinity and Zoning Map

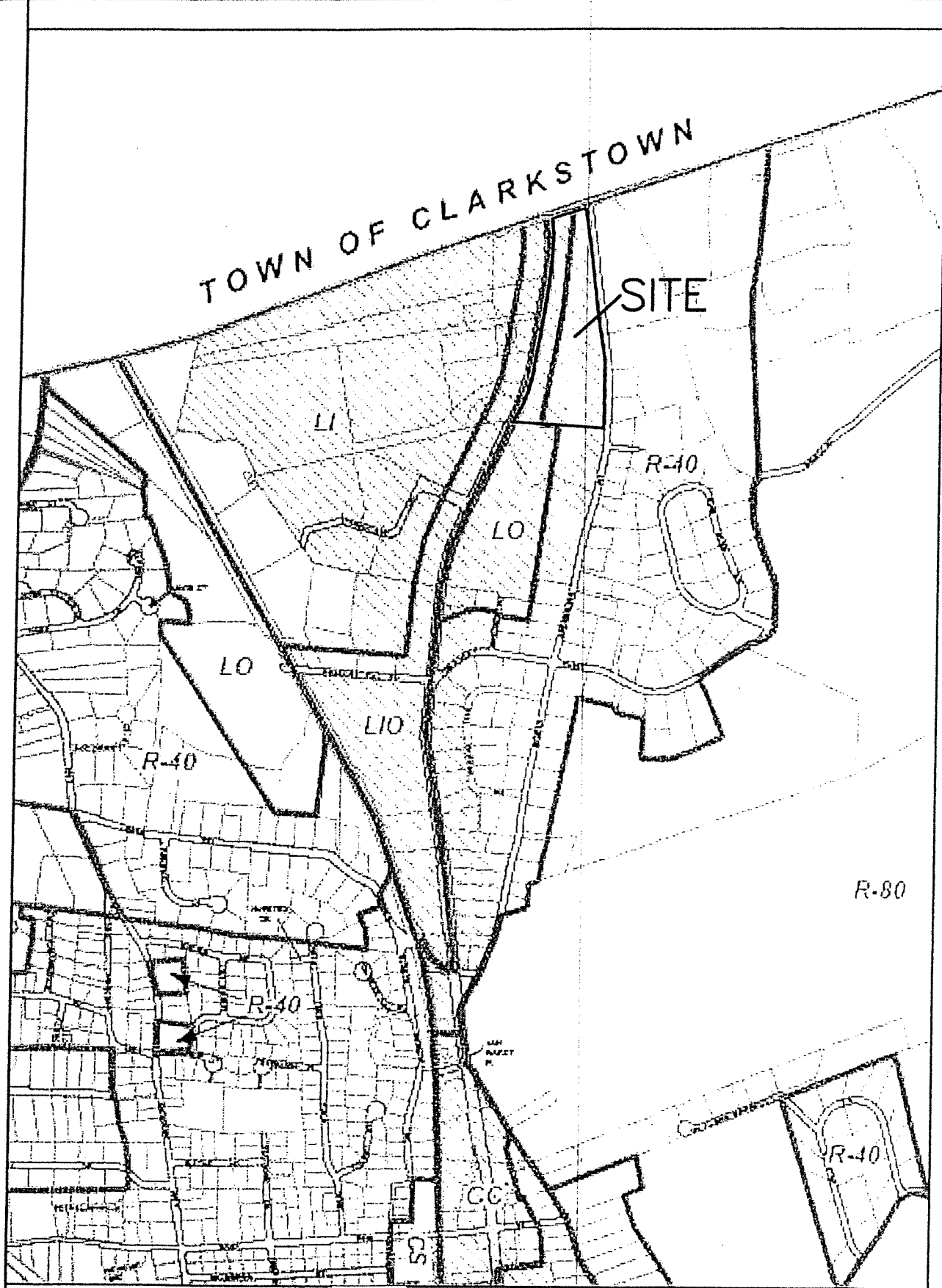


EXHIBIT A
VICINITY AND ZONING MAP

FOR:
RYERSON FARM LLC
350 BOXBERGER ROAD
VALLEY COTTAGE, NEW YORK

SCALE: 1"=300'±

BY:
DONALD BRENNER, PE, LUB
4 INDEPENDENCE AVE
BLAUVELT, NEW YORK 10983

DATE: JUNE 2019

Exhibit B
Area Use Map

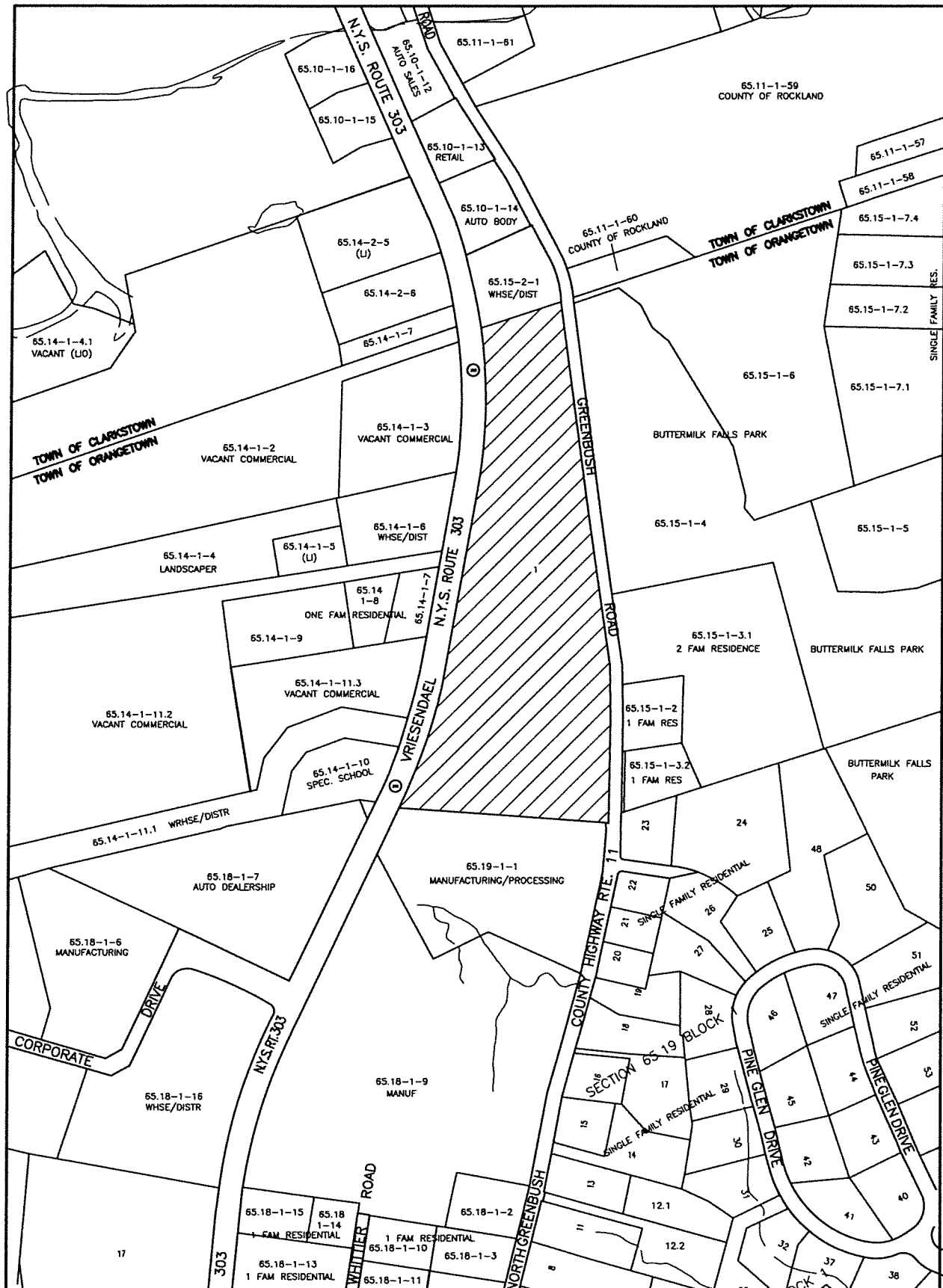


EXHIBIT B
AREA LAND USE MAP

<p>FOR: RYERSON FARM LLC 350 BOXBERGER ROAD VALLEY COTTAGE, NEW YORK</p>	<p>BY: DONALD BRENNER, PE, LLB 4 INDEPENDENCE AVE BLAUVELT, NEW YORK 10983</p>
<p>SCALE: 1"=300'±</p>	<p>DATE: JUNE 2019</p>

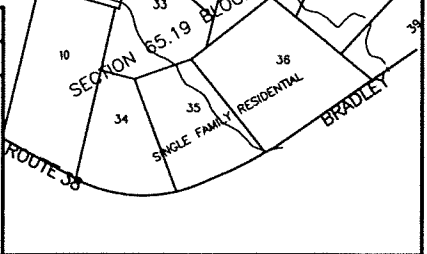


Exhibit C
Tax Lot Map

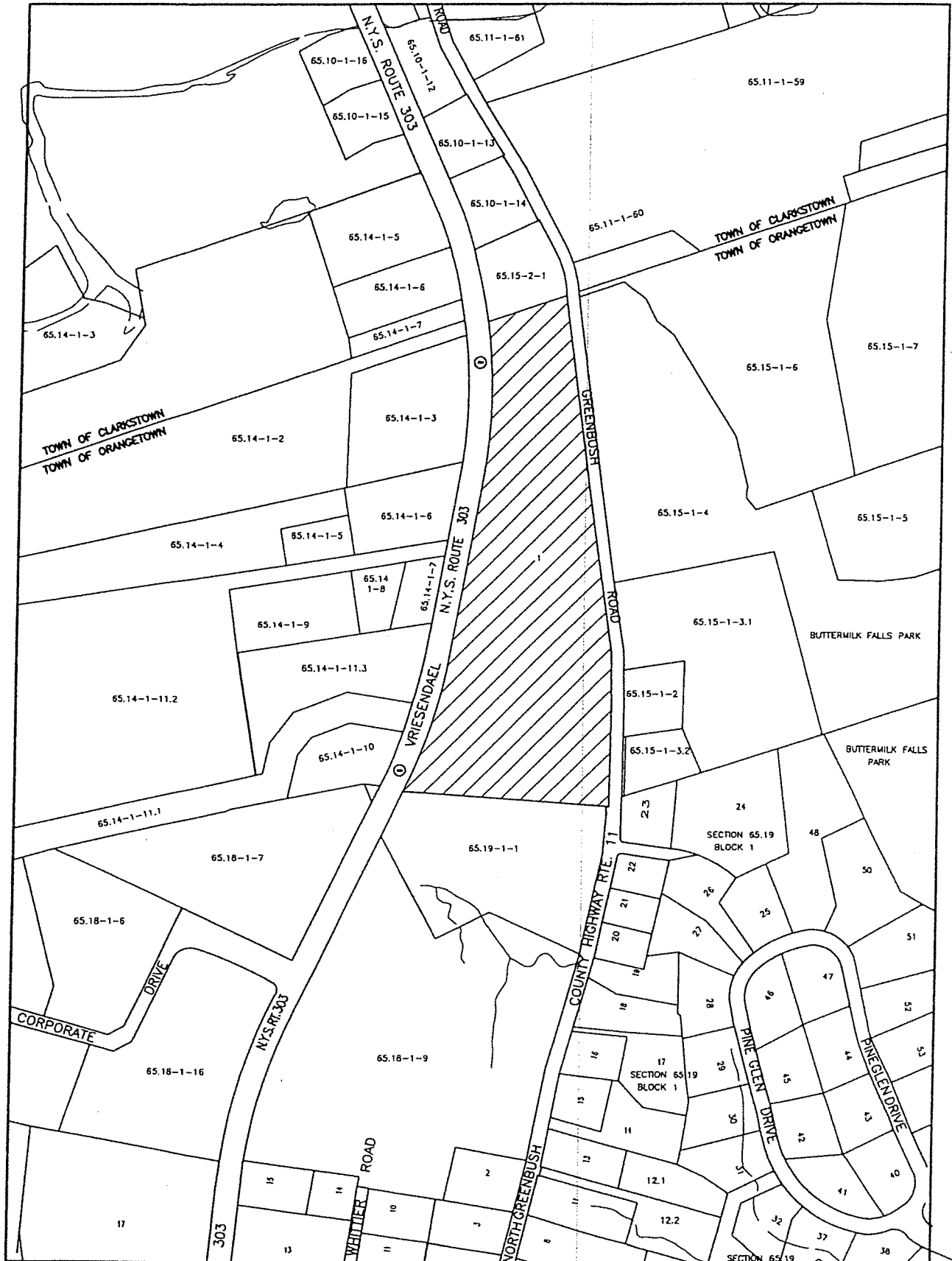


EXHIBIT C
MAP OF TAX LOT FOR ZONE CHANE

<p>FOR: RYERSON FARM LLC 350 BOXBERGER ROAD VALLEY COTTAGE, NEW YORK</p>	<p>BY: DONALD BRENNER, PE, LLB 4 INDEPENDENCE AVE BLAUVELT, NEW YORK 10983</p>
<p>SCALE: 1"=300'±</p>	<p>DATE: JUNE 2019</p>

Full Environmental Assessment Form

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Patriot's Crossing		
Project Location (describe, and attach a general location map): East side of Route 303 in the Town of Orangetown (TL 65.15-1-1), Rockland County		
Brief Description of Proposed Action (include purpose or need): Zone change required from existing LO (Laboratory Office) and R-40 (Residential) to MFR (Multifamily Residential) to develop 68 Townhomes with public sewer and water. Access shall be from NYS Rte 303 and emergency access to Greenbush Road.		
Name of Applicant/Sponsor: Ryerson Farms LLC		Telephone: 845-590-0646
		E-Mail: wpbtcg@gmail.com
Address: 350 Boxberger Rd		
City/PO: Valley Cottage	State: NY	Zip Code: 10989
Project Contact (if not same as sponsor; give name and title/role): Same as applicant		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Rathmagurry Realty Inc.		Telephone:
		E-Mail:
Address: 1 Corporate Drive		
City/PO: Orangeburg	State: NY	Zip Code: 10962

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Zone Change	
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Site Plan	
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ACABOR	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Rockland Planning & RCDOH + RCDA	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT - Highway Permit	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s):	
Town of Orangetown - Route 303 Overlay District	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
LO (Laboratory Office) and R-40 (Residential)

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,
i. What is the proposed new zoning for the site? MFR (Multifamily Residential)

C.4. Existing community services.

a. In what school district is the project site located? South Orangetown Central School District

b. What police or other public protection forces serve the project site?
Town of Orangetown Police

c. Which fire protection and emergency medical services serve the project site?
Blauvelt Fire Department

d. What parks serve the project site?
Rockland County and Town of Orangetown parks

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Multifamily Residential

b. a. Total acreage of the site of the proposed action? 17.32 acres
b. Total acreage to be physically disturbed? 9.5 ~~8.88~~ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 7.82 17.32 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:
• Total number of phases anticipated 2
• Anticipated commencement date of phase 1 (including demolition) 9 month 2020 year
• Anticipated completion date of final phase 9 month 2022 year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____
Commencement of project shall start upon Site Plan approval from town and shall last for approximately 2 years.

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

- i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
- ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____
- iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
- iv. Does the proposed action include any shared use parking? Yes No
- v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____
- vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No
- vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
- viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

- i. Estimate annual electricity demand during operation of the proposed action: _____
- ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
- iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

- | | |
|--|---|
| <ul style="list-style-type: none"> i. During Construction: • Monday - Friday: _____ As per Town Code • Saturday: _____ As per Town Code • Sunday: _____ As per Town Code • Holidays: _____ As per Town Code | <ul style="list-style-type: none"> ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ |
|--|---|

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No

Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Street lighting and building lighting

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.00	3.55	3.55
• Forested	17.13	8.25	-8.88
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)	0.19	0.19	0
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: <u>Lawn and Landscaped Areas</u>	0.00	5.33	5.33

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): 344050, 344001
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 7+ feet

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

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

Wethersfield	_____	96 %
Udorthents	_____	4 %
_____	_____	%

d. What is the average depth to the water table on the project site? Average: _____ 3+ feet

e. Drainage status of project site soils:

<input checked="" type="checkbox"/> Well Drained:	_____	96 % of site
<input type="checkbox"/> Moderately Well Drained:	_____	% of site
<input checked="" type="checkbox"/> Poorly Drained	_____	4 % of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	_____	68 % of site
<input checked="" type="checkbox"/> 10-15%:	_____	20 % of site
<input checked="" type="checkbox"/> 15% or greater:	_____	12 % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: None determined by NYSDEC EAF Mapper. However, there may be potential dinosaur tracks.

h. Surface water features.

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

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

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

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

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

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name ACOE unnamed & NYSDEC Approximate Size 0.19 acres total
- Wetland No. (if regulated by DEC) ID - NA4

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
 Deer _____ Possums _____
 Rodents _____
 raccoons _____

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

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

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

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

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

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

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

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

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

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

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

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

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

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

If Yes:

i. Identify resource: NYSDEC EAF Mapper

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

iii. Distance between project and resource: County Park across road miles.

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

If Yes:

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

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

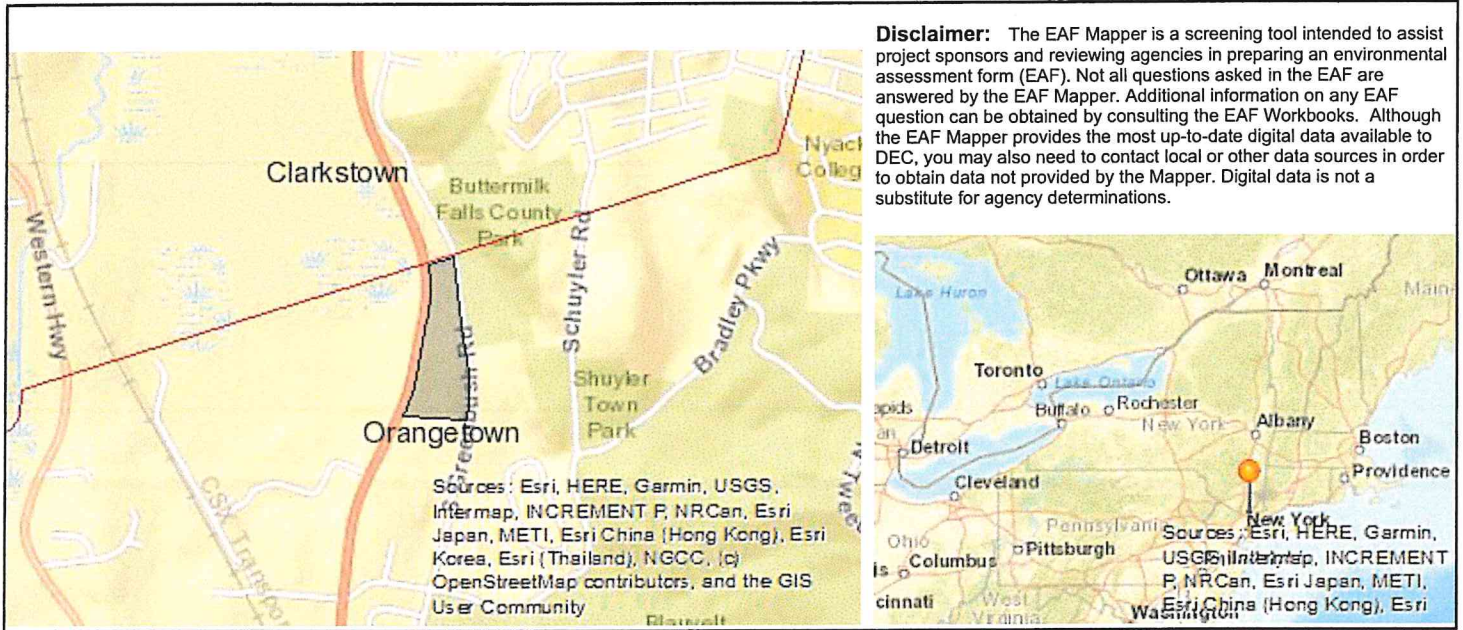
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Patrick Brady, PE Date May 14, 2019

Signature _____ Title Project Engineer

EAF Mapper Summary Report

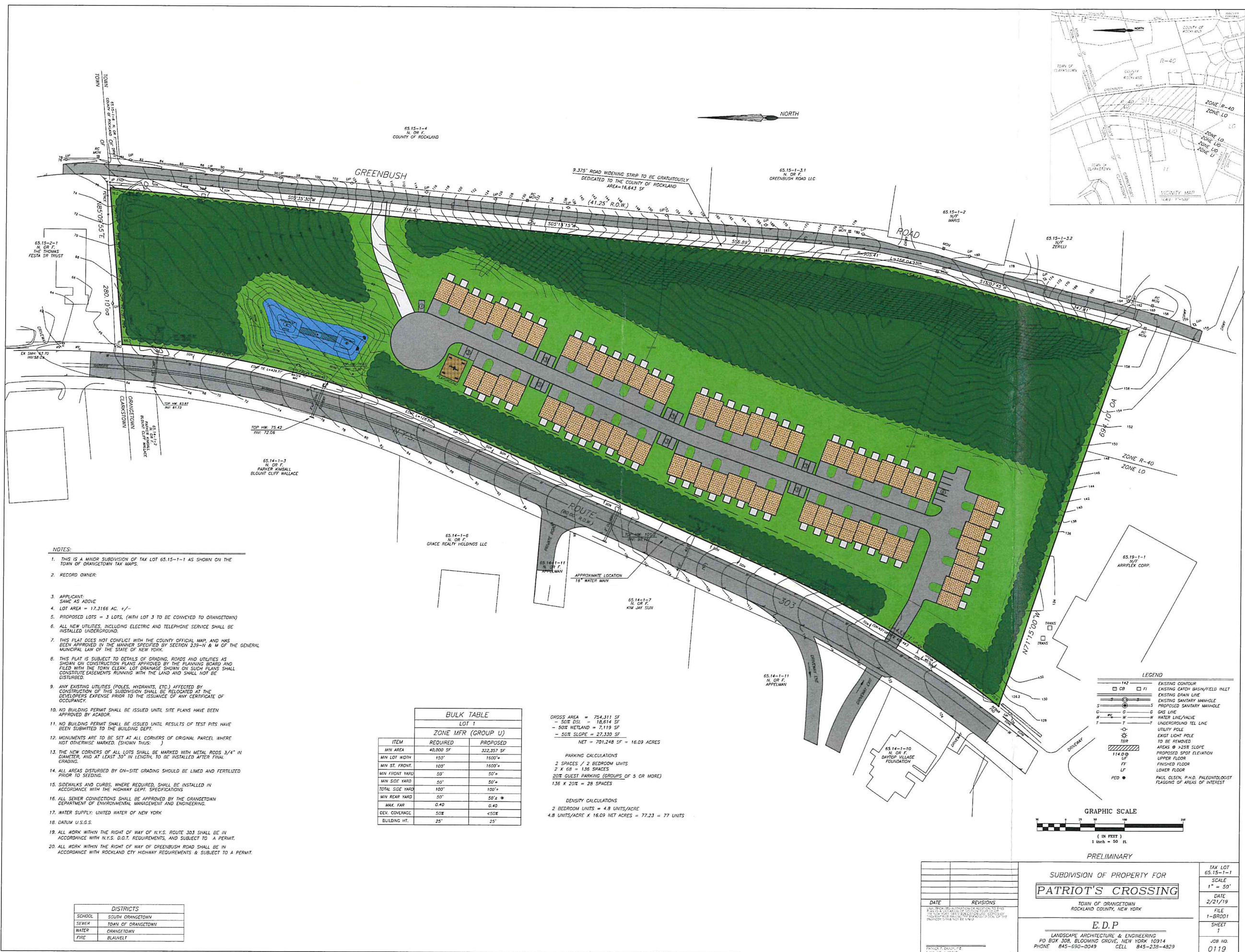
Tuesday, May 14, 2019 10:41 AM



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

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	344050, 344001
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No	59
E.3.a. [Agricultural District]	No	
E.3.c. [National Natural Landmark]	No	
E.3.d [Critical Environmental Area]	No	
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.	
E.3.f. [Archeological Sites]	Yes	
E.3.i. [Designated River Corridor]	No	



DRAINAGE AGENCY
DIVISION OF THE HIGHWAY DEPARTMENT

23 New Hempstead Road
New City, New York 10956
Phone: (845) 638-5081
Fax: (845) 708-7116

Email: highway@co.rockland.ny.us

Charles H. "Skip" Vezzetti
Superintendent of Highways
Chairman, Drainage Agency

Vincent Altieri
Executive Director

Via e-mail: tclerk@orangetown.com

August 22, 2019

Town of Orangetown Town Board
26 W. Orangetown Road
Orangeburg, NY 10962
Attn.: Rosanna Sfraga

Re: Zone Change with Development: Patriot Crossing/Ryerson Farms
636 N Greenbush Road, Blauvelt
Section 65.15, Block 1, Lot 1
Tax Map: Town of Orangetown
Resource: Hackensack River

Dear Ms. Sfraga:

The Rockland County Drainage Agency ("RCDA") has reviewed the above-referenced proposal included with the municipal referral dated: July 29, 2019.

Based on the information provided and maps available to the RCDA, the above referenced site/parcel is within the jurisdiction of the RCDA, pursuant to the Rockland County Stream Control Act, Chapter 846. The current referral is for an amendment to zone change petition that also references a site development proposal. Please note that an amendment to zone change petition does not require a permit from the RCDA; however, the site development referenced in the submission requires a Stream Control Act permit from the RCDA.

The proposal referenced in the zone change petition appears to be a conceptual development, not a project design for construction. Therefore, upon development of project design plans, please have the applicant submit an application to the RCDA for the site development proposal. Copies of the Rockland County Stream Control Act and permit application are being mailed to the project contact person and/or property owner along with a copy of this letter.

By copy of this letter the RCDA is hereby notifying municipal land use boards and departments that the site is within the jurisdiction of the RCDA, pursuant to the Rockland County Stream Control Act, Chapter 846, as noted above. Any future decisions or determinations made by municipal land use boards and departments regarding this site should indicate that it is within the jurisdiction of the RCDA and that a permit or a determination otherwise from the RCDA will be required for any future developments at this site. The RCDA recommends that the municipal land use boards and departments ensure the applicant has secured the necessary permits and approvals from all interested and involved agencies and has no outstanding violations, as a prerequisite for granting any final approvals.

The Rockland County Drainage Agency ("RCDA") does not object to the Town Board assuming responsibilities of lead agency for SEQRA purposes in the above-referenced matter.

Please contact Shajan S. Thottakara, P.E., CFM, at (845) 638-5081 or by email: thottaks@co.rockland.ny.us, if you have any questions regarding this matter.

Very truly yours,

Vincent Altieri
Rockland County Drainage Agency

c (with encl./attach.):

Michael Cunney

Rathmagurry Realty Inc,

Ryerson Farms LLC

Applicant

c (w/o) Building Department

Town of Orangetown

Planning Board

Town of Orangetown

Zoning Board of Appeals

Town of Orangetown

Rockland County Highway Department

Rockland County Planning Department

Shajan S. Thottakara, P.E., CFM

100 Brenner Drive, Congers, NY 10920
(By Certified Mail, Article No. : 7018 1130 0002 0685 1128)

350 Boxberger Road, Valley Cottage, NY 10989

OBZPAE@orangetown.com

ccoopersmith@orangetown.com

darbolino@orangetown.com

(by e-mail)

(File: 19 OHR 45)

**Planning Board
Town of Orangetown**

TO: Town Board

FROM: Planning Board *CAE*

DATE: July 31, 2019

RE: **Town Board Referral – Zone Change Request:** 636 North Greenbush Road, Blauvelt; 65.15-1-1, currently LO zone, change to MFR zone and Designation of Town Board as Lead Agency under SEQRA

At the July 31 2019 Planning Board Meeting, the Orangetown Planning Board had no objection to the Town Board being Lead Agency on the Zone Change request of 636 North Greenbush Road, Blauvelt; 65.15-1-1, currently LO zone, change to MFR.

RECOMMENDATION:

The Board raised the following concerns:

- The proposal is for high density housing which is not compatible with the surrounding area.

- The Board strongly suggests that the Town Board examine previous Planning Board Decisions in regard to the discovery of dinosaur footprints and fossils and delineate those areas on the site in which they were found.

On motion by Robert Dell and seconded by Michael McCrory and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, absent; Michael Mandel, aye; Robert Dell, aye; Michael McCrory, aye; Stephen Sweeney, aye, and Bruce Bond, aye.

TOWN CLERK'S OFFICE
2019 AUG -9 P 1:11
TOWN OF ORANGETOWN

Town of Orangetown Town Board

Date: July 29, 2019

Response to request that the Town of Orangetown Town Board be designated to serve as Lead Agency for the:

Town Zoning Law, changing the zoning classification of the premises known as 636 N Greenbush Rd, Blauvelt (65.15-1-1) being currently located in the "LO" (Laboratory Office District) zoning district, to change the zoning classification of the property to that of "MFR" (Multifamily Residence District).

The Orangetown Planning Board agrees to the designation of the Town Board of the Town of Orangetown as lead agency for the above-referenced project.

July 31, 2019
Date

afw TW
(Signature)

Chair
(Print Name and Title)

Planning Board - Town of Orangetown
(Name of Agency)

Encl.



Rockland County

Ed Day, Rockland County Executive

HIGHWAY DEPARTMENT

23 New Hempstead Road
New City, New York 10956
Phone: (845) 638-5060 Fax: (845) 638-5037
Email: highway@co.rockland.ny.us

Charles H. "Skip" Vezzetti
Superintendent of Highways

August 21, 2019

Ms. Rosanna Sfraga
Town Clerk
Town of Orangetown
26 West Orangeburg Road
Orangeburg, NY 10962

**RE: Proposed Zoning Map Amendment
636 N Greenbush Road in Blauvelt, NY
Tax Lot #65.15-1-1; LO Zoning District**

Dear Ms. Sfraga:

The Rockland County Highway Department (RCHD) was in receipt of your letter dated 07.29.19 along with the application documents pertaining to the above matter as part of the GML review process. The preliminary site plan was prepared by EDP Landscape Architecture and Engineering, dated 02.21.19. The review has been complete now and our comments are as follows:

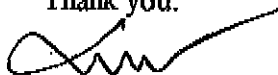
1. The RCHD consents that the Town Board of Town of Orangetown serves as Lead Agency for coordinated environmental review of the proposed action.
2. The gratuitous land dedication to the County of Rockland as noted in the preliminary site plan shall be recorded in the County Clerk's Office prior to applying for a road work permit from the Rockland County Highway Department, provided the approval for the proposed development is granted by the Town.
3. As the proposed residential development is expected to generate more traffic in the area, a traffic impact study (TIS) shall be prepared to determine the traffic impacts on the adjacent public roads. The report shall also be submitted to the RCHD for their review.
4. The developer shall provide adequate internal traffic circulation and parking spaces within the parcel in question for the proposed residential development.

Page 2

5. A drainage report for the proposed development shall be prepared and submitted to the RCHD. There shall be no net increase in the peak rate of discharge from the site at all design points.
6. The developer shall investigate the availability of public transportation system adjacent to the proposed residential development. The developer shall also investigate providing easy access to these public transportation sites, such as sidewalk and bike path, to encourage the future residents to use public transportation.
7. The applicant shall have to verify the available sight distances at the driveways to promote traffic safety on the public roads.
8. As the project site being currently located in the "LO" (Laboratory Office) zoning district, the developer shall investigate and report noise and lighting issues in the area that may impact the proposed residential development.
9. A road work permit from the Rockland County Highway Department shall be obtained prior to starting any construction activities on the site.

We appreciate you for the opportunity to review the proposed development. Please feel free to contact us at 845-638-5060 with any question or concern you may have regarding this matter.

Thank you.



Dyan Rajasingham
Engineer III

CC: Rockland County Department of Planning
E.D.P. Landscape Architecture and Engineering

TOWN OF CLARKSTOWN
DEPARTMENT OF PLANNING

JOSE C. SIMOES, PRINCIPAL PLANNER
JAMES CREIGHTON, SENIOR PLANNER
10 Maple Avenue
New City, New York 10956-5099
Tel: (845) 639-2070
Fax: (845) 639-2071
planning@clarkstown.org



TOWN OF CLARKSTOWN
PLANNING BOARD

GILBERT J. HEIM, CHAIRMAN
RUDOLPH J. YACYSHYN, VICE CHAIRMAN
PETER E. STREITMAN, MEMBER
EDWARD J. GUARDARO, JR., MEMBER
PHILLIP J. DEGAETANO, MEMBER
DOUGLAS B. KATZ, MEMBER
EDWARD BERTOLINO, MEMBER

August 8, 2019

Rosanna Sfraga
Town Clerk
26 West Orangeburg Road
Orangeburg, New York 10962

RE: Town of Orangetown Referral: Lead Agency & GML review for Ryerson Farms (Patriot's Crossing), 65.15-1-1, Blauvelt

Dear Ms. Sfraga:

The Planning Board reviewed the above referral at their August 7, 2019 meeting for a zone change from an existing LO and R40 to a MFR to develop 68 townhomes with public sewer and water and access from NYS Rte 303 and emergency access to Greenbush Road. Property is located on the east side of Route 303 on 17.32 acres of land, which of 9.5 acres to be physically disturbed and 7.82 acres to be donated to the Town of Orangetown.

After a brief discussion, on a Motion of Katz, Seconded by Guardaro, and carried 7:0, with Ayes of Heim, Yacyshyn, Streitman, DeGaetano and Bertolino, **the Clarkstown Planning Board has no objection to the Town of Orangetown being Lead Agency; however is concerned with over-utilization and the impact of traffic on Route 303. This proposal would be more appropriate in a Hamlet Center.**

Thank you for this opportunity to review this matter. Please do not hesitate to call me if you have any questions.

Sincerely,


Gilbert J. Heim
Chairwoman

GJH:dp

CC: Rockland County Planning
Clarkstown Planning Board

TOWN CLERK'S OFFICE
2019 AUG 12 P 1:37
TOWN OF ORANGETOWN

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

REASONS SUPPORTING THIS DETERMINATION:

The proposed action changes the zoning district of an existing tax parcel which was previously developed as a one family residence and is now vacant, and is located in a CO zone, to an R-15 zone, which is a neighboring zoning district. The parcel currently abuts the R-15 district.

The change is consistent with the most recent and proposed use of the existing lot; is consistent with the Town's Master Plan which notes residential uses on certain sections of Middletown Road; and is otherwise in the best planning and zoning interests of the Town and the owner of the parcel, who has requested the change of zoning classification. The existing lot is bordered to the east by the R-15 zone.

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

POTENTIAL IMPACTS DETERMINED NOT TO BE SIGNIFICANT:

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

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



Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970

Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

August 21, 2019

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data: 65.15-1-1

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 2/21/2019

OWN OF ORANGETOWN
2019 AUG 26 A 11: 27
OWN CLERK'S OFFICE

Date Review Received: 8/1/2019

Item: PATRIOT'S CROSSING (O-952N)

Zone change from the LO (Laboratory Office District) and R-40 (Low Density Residential) zoning districts to the MRF (Multi-Family District) zoning district for a 17.3166 acre parcel.

South side of the Clarkstown Town Line, east side of NYS Route 303, west side of North Greenbush Road, opposite Birchwood Drive

Reason for Referral:

Town of Clarkstown, NYS Route 303, North Greenbush Road (CR 11), Buttermilk Falls County Park

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

****Recommend the following modifications***

1 Paul E. Olsen, Ph.D., a Professor of Earth and Environmental Sciences at Lamont Doherty Earth Observatory of Columbia University, is acknowledged as the preeminent expert on geology and paleontology of the Newark Basin area, where the subject property is located. In 1972, Dr. Olsen, along with Robert F. Salvia, discovered fossilized footprints and other plant fossils on the subject parcel. While some of the tracks were removed from the site, many of the fossils were left in place. Dr. Olsen has indicated that the specific location of the site is unique in Rockland County and in New York State with the regard to the potential to contain paleontological evidence in the form of fossils and especially due to the diversity of types of samplings the site offers.

On September 20, 2008, Dr. Olsen published his final report on a study he conducted of the site for paleontological evidence that same year. In it, he notes it is likely that significant new material could be discovered, should large-scale excavation happen. If excavation for development is to occur, he mentions a secondary goal of it should be for the discovery of additional fossil material. He further explained that excavation should be completed by removing large blocks of rock by mechanical excavators and subsequently cleaning the rock sufficiently for paleontological examination. He recommended that any fossil material found should be removed and, if the quality warrants it, deposited in an appropriate museum. We recommend that notes be added to the site plan describing this excavation procedure as a requirement and that compliance be a condition of any

PATRIOT'S CROSSING (O-952N)

future site plan approval.

2 A review must be completed by the County of Rockland Department of Health and any comment or concerns addressed.

3 A review must be completed by the New York State Department of Transportation and any comments or concerns addressed.

4 A review must be completed by the County of Rockland Division of Environmental Resources and any comments or concerns addressed.

5 The Town of Clarkstown is one of the reasons this proposal was referred to this department for review. The municipal boundary is along the northern border of the site. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner that is supportive of the goals and objectives of the general area.

The Town of Clarkstown must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Town of Clarkstown must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

6 Because the wetlands on the site have been determined to be federal wetlands, a review shall be completed by the U.S. Army Corps of Engineers (ACOE), and any comments or concerns addressed.

7 All wetland and wetland buffer areas to be preserved shall be clearly marked in the field prior to any clearing or construction. Notes shall be placed on the site plan regarding this field-marking requirement, as well as to explain the long-term use restrictions for these areas, including that no accessory structures shall be placed in these areas. We recommend that the wetland buffers or setbacks be shown as Conservation Areas.

8 The proposed plans shall comply with the Route 303 Overlay Zone, to the extent applicable.

9 The last time this parcel was reviewed, a subdivision was to occur with lot #3, a 4.4581-acre parcel, to be dedicated to the Town of Orangetown for the creation of "Jurassic Park." It must be indicated as to the status of this dedication, and whether this preservation is still planned to occur.

10 The Full Environmental Assessment Form indicates that there is no bedrock outcropping located on this parcel. Aerial imagery available to this department and the final report on fossils by Dr. Olsen, as mentioned above, show that a portion of the site has exposed bedrock. The Form shall be corrected to say there is bedrock outcropping on the site and should include the percentage of the site that is comprised of bedrock outcropping.

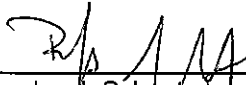
11 Map Note #17 refers to United Water as the water supplier. This should be corrected to Suez Water.

12 The bulk table provided with the map has a star next to the proposed value for the rear yard, indicating a note is attached to this number. However, there are no notes for the bulk table. The note should be added, or the star shall be removed.

PATRIOT'S CROSSING (O-952N)

13 The Town of Orangetown must do a comprehensive analysis of the site area to determine if other parcels should also be rezoned to the MRF zoning district.

14 If the zone change is approved, in order for the Rockland County Planning Department to update the zoning map for the Town of Orangetown, a copy of the Town Board resolution adopting the zone change must be sent for our records. Once the map is updated, if further action is required to adopt the revised zoning map, it is the responsibility of the Town of Orangetown.



Douglas J. Schuetz
Acting Commissioner of Planning

- cc: Supervisor Chris Day, Orangetown
- Rockland County Department of Highways
- New York State Department of Transportation
- Rockland County Division of Environmental Resources
- Rockland County Sewer District #1
- New York State Department of Environmental Conservation
- E.D.P. Landscape Architecture & Engineering
- Town of Clarkstown
- U.S. Army Corps of Engineers
- Paul E. Olsen, Ph.D.

TOWN OF ORANGETOWN
2019 AUG 26 4 11 27
TOWN CLERK'S OFFICE

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

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

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

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

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



Rockland County

Ed Day, Rockland County Executive

ROCKLAND COUNTY SEWER DISTRICT NO. 1

4 Route 340

Orangeburg, New York 10962

Phone: (845) 365-6111 Fax: (845) 365-6686

RCSD@co.rockland.ny.us

George Hoehmann
Chairman

Dianne T. Philipps, P.E.
Executive Director

August 30, 2019

Ms. Rosanna Sfraga
Town Clerk – Town of Orangetown
26 Orangeburg Road
Orangeburg, NY 10962

Re: Patriot’s Crossing
636 North Greenbush Road, Blauvelt
Tax Lot 89/65.15-1-1 (formerly 45-104-854.1)

Dear Ms. Sfraga:

Our office has received and reviewed correspondence dated August 21, 2019 that the Rockland County Department of Planning prepared in response to the above referenced application to the Town Board. Our comments are as follows:

1. A previous application for this property, which is outside the boundaries of Rockland County Sewer District No. 1, had proposed a sanitary sewer extension that would connect to the District’s sewer system on Route 303 in the Town of Clarkstown. If any structures on this lot will connect to the District’s sewer system, the developer must apply for an “out-of-District” hookup to the District’s sewers. A permit application **for each connection** must be submitted to the Executive Director, which must be supplemented by any plans, specifications, insurance, indemnification, or other information considered pertinent in the judgment of the Executive Director. Each application must be accompanied by:
 - a. A resolution from the Town of Orangetown Town Board approving the hookup of the sewer from this project to the Rockland County Sewer District No. 1 sewer system.
 - b. A resolution from the District’s Board of Commissioners approving the hookup of the sewers from the buildings in Orangetown to the District’s sewer system. The applicant must request the out-of-District connection and the resolution in writing.
 - c. An out-of-District connection fee of three thousand seven hundred dollars (\$3,700.00) **per connected unit**, which must be paid within thirty (30) days of the Board of Sewer Commissioners’ approval of the connection.

- d. The annual sewer use fee for operations and maintenance, which must be paid within ten (10) days of sewer service becoming available and pro-rated as of that date.
 - e. The area benefit fee, which commences on the date of the Board of Sewer Commissioners' approval of the connection. Area benefit is calculated by an annual tax rate per one hundred dollars (\$100.00) of assessed value. This fee must be paid before release of approval.
 - f. An executed copy of a covenant agreeing to abide by the rules, laws and regulations of the District and its Law, as it may be amended, including the payment of annual sewer use fees and annual area benefit fees. This covenant must be:
 - i. In recordable form, including all prior mortgages or other encumbrances,
 - ii. Accompanied by requisite fees for recording as set forth by the County Clerk,
 - iii. Accompanied by an up-to-date Title Report and paid policy of Title Insurance,
 - iv. Acknowledged by owner of the land, and
 - v. Accompanied by a complete site survey and property description.
2. Out-of-District connections require approval from the Rockland County Department of Health. A copy of the approval documents must be submitted to the District.
 3. Out-of-District connections also currently require prior approval from the New York State Department of Environmental Conservation.
 4. The following comments apply if the developer applies for an out-of-District connection:
 - a. Details for sanitary sewer construction must comply with the District's construction standards and should be shown on the plans.
 - b. Rockland County Sewer District No. 1 requires sanitary sewer construction to conform to District standards. This includes but is not limited to relative air, vacuum and deflection testing of mainline sewer and manhole construction. The District must receive and approve certification of test results from a licensed professional engineer before approving the sewers on this project. If the District's standards differ from Town of Orangetown standards, the stricter standards will apply.
 - c. In order to reduce infiltration into the system, the District requires that the precast and doghouse sanitary manhole construction be in accordance with the District's standards. The District's standard details require the joints to have butyl rubber seals with *mortar in and out, and then to be coated with "Infi-shield" EPDM rubber seal wrap or approved equal.*
 - d. We request that submission to Rockland County Sewer District No. 1 of an as-built drawing of any proposed sanitary sewer extension be made a condition of granting certificates of occupancy.

Ms. Rosanna Sfraga

Page 3

August 30, 2019

Please inform us of all developments in this project. If you have any questions, please contact this office at 845-365-6111.

Very truly yours,



Joseph LaFiandra
Engineer II

cc: D. Philipps M. Saber
Helen Kenny-Burrows – Rockland County Department of Planning
Elizabeth Mello, P.E. – Rockland County Department of Health
Dyan Rajasingham – Rockland County Highway Department
R. Allan Beers – Rockland County Department of Environmental Resources
Christopher Wagner, P.E. – Town of Clarkstown Department of Engineering & Facilities
Management
Joseph Taylor – New York State DOT, 275 Ridge Road, New City, NY 10956
E.D.P. Landscape Architecture & Engineering – P.O. Box 308, Blooming Grove, NY
10914-0308
Christine Brodsky – Ryerson Farms LLC, 350 Boxberger Road, Valley Cottage, NY 10989

File: TOO 65.15-1-1 – Palladino Subdivision
Orangetown Out-of-District User
Reader



**OFFICE OF BUILDING, ZONING, PLANNING
ADMINISTRATION AND ENFORCEMENT**
TOWN OF ORANGETOWN
20 GREENBUSH ROAD
ORANGETOWN, N.Y. 10962

Jane Slavin, RA
Director

(845) 359-8410

Fax: (845) 359-8526

Date: September 3, 2019

To: Town Board

From: Jane Slavin, RA.,
Director O.B.Z.P.A.E.

Subject: **Zone Change, from “LO” and “R-40” to MRF, Multi-Family Residential district.**
North East side of Route 303, Blauvelt, NY, opposite Birchwood Drive

Submission Reviewed:

- Ryerson Farms, LLC (Patriot’s Crossing) dated July 2019 as prepared by Donald Brenner, P.E., LL.B.
- Full Environmental Assessment Form, dated 5-14-19 signed by Patrick Brady, PE.

The Petitioner is requesting that the Town Board consider their request for a zone change of a 17.1 acre parcel on Route 303 in Blauvelt known as Section 68.15, Block 1, and Lot 1. Said lot is located on the east side of Route 303 in the LO, Laboratory Office District and the R-40, Residential District. The request is to approve a change to the MFR, Multi-Family Residential District to allow for the construction of 68, two (2) bedroom condominium units.

Previous Land Use Board approval history:

- 1) 1967 a Special Permit was granted for a landfill operation.
- 2) July 30, 1983 Zoning Board of Appeals granted a Use Variance for a new Motor Vehicle Retail Sales and Storage building which was never constructed.
- 3) May 12, 1999 Planning Board Consultation for Site Plan Review and a Use Variance, referred to Zoning Board of Appeals.
- 4) July 22, 1999 Zoning Board of Appeals granted a Use Variance for a new auto center for sales and service for three (3) dealerships on the same lot which was never constructed.

- 5) May 13, 2009 Planning Board granted Preliminary Minor Subdivision approval known as "Palladino Minor Subdivision" for a mixed development with 80,000 square feet of commercial buildings with access to route 303 and 9 Town House units with access to and from North Greenbush Road. The developers decided not to move forward with the project due to Neighbors concerns and archeological finds on a portion of the property.
- 6) June 14, 2017 Planning board Consultation for Subdivision Plan Review, PB recommended that the applicant proceed with the prior Subdivision and Site Plan proposal for the property.

Current Proposal Review Comments:

- a) Petitioner describes a proposal for three (3) lots however the lots are not clearly delineated on the plans submitted.
- b) Plans shall show the 7.82 acre parcel to be dedicated to the town.
- c) How will the subdivision of the lot into (3) lots affect the Bulk requirements?
- d) Chapter 43, Table of Use Regulations, 3.11, MFR district column 6, number 1; "guest parking shall be in groups of 5 or more spaces", however proposed plan shows seven (7) groups of only 3 spaces.
- e) Chapter 43, Table of Use Regulations, 3.11, MFR district column 7, number 6 (b); "A specifically designated area or areas shall be available for recreational use of the residents", however no such areas are shown on the proposed plan.
- f) Chapter 43, Table of Use Regulations, 3.11, MFR district column 7, number 6 (c); "25% of the entire tract shall be reserved as useable open space for use by all residents of the development"; such areas shall be shown on the proposed plan.
- g) Chapter 43, Table of Use Regulations, 3.11, MFR district column 7, number 6 (d); "Facilities for refuse disposal shall be provided for all dwelling units, conveniently located for all groups", however no such areas are shown on the proposed plan.
- h) Chapter 43, Table of Use Regulations, 3.11, MFR district column 7, number 6 (e); "Open parking areas shall not be closer than 20 feet to any building or lot line", it appears that the groups of parking are shown closer than 20 feet from the buildings on the proposed plan.
- i) Chapter 43, Table of Use Regulations, 3.11, MFR district column 7, number 6 (o); "For developments in excess of 50 Units, a double-paved roadway of at least 24 feet and a median of 10 feet shall be provided or multiple single access roads shall be provided", however only one road is provided without a median on the proposed plan.
- j) There is a small area of federal wetlands located along the northerly property line and shall be clearly delineated.

- k) The proposal indicates an additional 138 parking spaces required for the 68 units. A traffic study should be provided to determine the impact on the surrounding roadways.
- l) The following items must be reviewed and revised accordingly on the Full Environmental Assessment Form:
 - 1. Part 1-B (c); Zoning Board of Appeals Approval may be required based on plan review comments above.
 - 2. Part 1-C (a); Route 303 Overlay District applies.
 - 3. Part 1-D (b); acreage breakdown has hand written totals that need to be reviewed and corrected.
 - 4. Part 1-D.2 (e)iii; should be checked “Yes” as stormwater is proposed to ultimately flow onto NYCDEC wetlands.
 - 5. Part 1-E.2 (b) should be checked “Yes” as bedrock is indicated on the plan.

Questions that should be considered when considering a zone change request:

- 1) Would the uses permitted in the requested zone change be appropriate in the area concerned?
- 2) Will this proposed action result in a change in the use or intensity of the use of the land?
- 3) How will future development affect traffic volumes and patterns along route 303, North Greenbush Road and the surrounding neighborhoods?
- 4) Will future development impair the character or quality of the existing community?

PB #11-44: O'Sullivan Tree Service Site Plan - Consultation

Town of Orangetown Planning Board Decision

September 26, 2011

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TO: John Atzl, Atzl, Scatassa & Zigler, P.C., 234 North Main Street,
New City, New York 10956
FROM: Orangetown Planning Board

RE: O'Sullivan Tree Service Site Plan: The application of O'Sullivan Tree Service, Inc., applicant, John Palladino, owner, (Donald Tracy for the applicant), for Consultation, at a site to be known as "**O'Sullivan Tree Service Site Plan Consultation**", 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 636 North Greenbush Road, Blauvelt Road, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.15, Block 1, Lot 5 in the LO/R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Monday, September 26, 2011**, the Board made the following determinations:

John Atzl, Donald Tracy and Jim O'Sullivan appeared and testified. The Board received the following communications:

1. Project Review Committee Report dated September 21, 2011.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated September 26, 2011.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., September 20, 2011.
4. Site Plans prepared by Atzl, Scatassa & Zigler, P.C., dated July 22, 2011
 - Sheet 1: Concept Plan
 - Sheet 2: By Right Plan with Building Envelopes

Public Comments:

Jim Cinnelli, 547 Greenbush Road, Blauvelt, held that the proposed project will create odor and noise in a residential neighborhood.

Diana Lambut, 29 Whittier Road, Blauvelt, stated that the existing noise and odor from the present LO use in the area is unbearable.

Elaine Armaniaco, 577 Greenbush Road, Blauvelt, raised concerns regarding the development of the site. She held that the site is not suitable for the proposed use, and that the site is more suitable for a residential use.

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PB #11-44: O'Sullivan Tree Service Site Plan - Consultation

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Ann Brennan, 559 Greenbush Road, Blauvelt, discussed the history of the project site. She requested information regarding the impact of a zone change to other lots in the area.

Kelly Maris, an area resident, raised concerns regarding noise and odors from the proposed use of the site.

John Melnick, 523 Greenbush Road, Blauvelt, raised concerns regarding the increase in traffic to the area.

Robert Zerilli, 601 Greenbush Road, Blauvelt, expressed concerns regarding the increased noise created from the use of the site as proposed by the applicant.

George Blunt, resident of Greenbush Road, Blauvelt, opposed the proposed project.

Victor Armaniaco, 577 Greenbush Road, Blauvelt, opposed the zone change request. He raised concerns regarding the environmental impact to the neighborhood and the devaluation to his property.

Shanaz Fillmore, 497 Greenbush Road, Blauvelt, raised concerns regarding the increase in traffic to the area roadways.

Nancy Bush, 4 Park Lane, Nyack discussed changing the zoning from LO to LI.

CONSULTATION: In view of the foregoing and the testimony before the Board, the applicant was provided with the following comments:

1. The following note should 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. 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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PB #11-44: O'Sullivan Tree Service Site Plan - Consultation

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3. The current Zone District of the property is R-40 to the East of Greenbush Road side and LO to the West of Route 303. The applicant proposed a commercial use that falls under "Wholesale Sales" and therefore is only allowed in an LI zone district. The proposed use would need a zone change or Use Variance.

4. The following comment have been offered by the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, for consultation purposed only and shall not be construed as a final review:

- If a zone change is proposed, then the applicant would have to meet the LI zone district set backs and the Route 303 Overlay Zone requirements.
- Performance Standards review by the Town of Orangetown Zoning Board of Appeals would be required.
- The Site Plan shall be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review.
- Parking in any yard is not permitted unless approved by any Board having jurisdiction.
- All open storage yards shall be screened from adjacent lots and from the street lines.
- A Traffic Study shall be submitted to the Planning Board for review and approval.
- Topography shall be provided on the Site Plan showing existing and proposed contours.
- The height of the material in the storage bins shall be labeled on the Site Plan.
- The proposed height of the building shall be disclosed.
- The number of trucks stored overnight shall be shown on the Site Plan.

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PB #11-44: O'Sullivan Tree Service Site Plan - Consultation

Town of Orangetown Planning Board Decision

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5. In regards to the new construction of a storage yard and nursery, the Town of Orangetown Fire Prevention Bureau offered the following comments:

- 1) Install an NFPA 72 Compliant Fire Alarm System in the office building, connected to Rockland county 44-Control and reporting in Contact ID format with amber strobe, as per Town of Orangetown Code.
- 2) Due to the possible mulch fire risk, provide a private yard hydrant with a minimum 6" feed in the center of the yard.
- 3) Install portable fire extinguishers according to NFPA 10.
- 4) Install Emergency and Exit lights according to NEC.
- 5) Install a Key Box.
- 6) Maintain a 20' wide through road for Emergency Vehicle access and show access on Final Approved Site Plan.

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

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

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

Dated: September 26, 2011
Town of Orangetown Planning Board



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**Town of Orangetown Planning Board - Decision
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9. A letter from the Blauvelt Volunteer Fire Company, Inc., signed by Pieter Grosbeck, Chief, dated September 24, 2007.
10. A letter from the Town of Orangetown, Zoning Board of Appeals, signed by William Mowerson, Chairperson, dated September 12, 2007.
11. Conceptual Layout Subdivision Plan prepared by Jay Greenwell, PLS, LLC, dated July 10, 2007.
12. Short Environmental Assessment Form undated, signed by Donald Brenner.
13. A report submitted by the applicant entitled Phase I Archaeological Investigation for the proposed Palladino Subdivision, dated October 2007, prepared by Alfred G. Cammisa, RPA, Felicia Cammisa, Alexander Padilla, Tracker Archaeology Services, Inc.

Public Comments:

Chris Faltley, Assistant Chief of the Blauvelt Fire Department, wanted to address the location of the fire hydrants for the proposed subdivision.

Elaine Armaniaco, 577 Greenbush Road, Blauvelt, representing the Greenbush Collation; raised concerns regarding the loss of open space resulting from the development of the site. The site was listed on the Town of Orangetown Open Space list. Ms Armanico requested that the Board take a hard look at the proposed project during its review.

Fran Oldenberger, 314 Greenbush Road, Blauvelt, Acting Chairperson of the Town of Orangetown Open Space Committee, submitted an article dated March 8, 2000, from the Journal News. Ms Oldenberger noted that this site is the only habitat corridor for animals if a drought was ever to occur. The Board has an obligation to the community.

Kelly Maris, 609 Greenbush Road, Blauvelt, member of the Greenbush Coalition, raised concerns regarding the proposed site improvements; berming along route 303, buffer between residential and commercial uses and blasting on the site.

Morgan Watson, 129 Durfus Lane, Blauvelt, expressed concern regarding development of the site, noting specific items on the plan, sizes of the lots, trees and drainage details. Mr. Watson did not agree with the proposed development and requested additional details and more information to be provided by the developer.

The applicant requested a **CONTINUATION** of the application in order to fulfill the requests of the Board.

PLS 07-57-001

PLS 07-57-001

PLS 07-57-001

**Town of Orangetown Planning Board - Decision
May 13, 2009**

September 24, 2008

Donald Brenner, Jay Greenwell and Paul Olsen appeared and testified.

The Board received the following communications:

1. A Project Review Committee Report dated September 17, 2008.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated September 24, 2008.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated September 17, 2008.
4. A letter from the Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner of Planning, dated September 22, 2008.
5. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated September 24, 2008.
6. Letters from the Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated September 5, 2008 and October 2, 2007.
7. A letter from the Town of Clarkstown Planning Board, signed by Rudolph J. Yacyshyn, Acting Chair, dated September 3, 2008.
8. A letter from the Rockland County Division of Environmental Resources, signed by R. Allan Beers, Coordinator of Environmental Resources, dated April 24, 2008.
9. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated August 25, 2008.
10. A letter from Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated September 8, 2008.
10. A report entitled Final Report on a Paleontological Review of the John Palladino Property, Town of Orangetown, dated September 20, 2008, prepared by Paul E. Olsen, Ph.D.
11. A letter from the New York State Department of Transportation, signed by Mary Jo Russo, P.E., Rockland County Permit Engineer, dated September 22, 2008.
12. Plan entitled Subdivision/Site Plan of property for Palladino, prepared by Jay A. Greenwell, PLS, LLC, dated July 10, 2008.

Public Comments:

Elaine Armaniaco, 577 Greenbush Road, Blauvelt, questioned the purpose and use of the proposed park area and how the park would be maintained.

Kimball Parker, Route 303, discussed drainage and recommended a through street between Route 303 and Greenbush Road, and a traffic light on Route 303.

The applicant requested a **CONTINUATION** of the application in order to fulfill the requests of the Board.

PLANNING BOARD

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TOWN OF ORANGETOWN

PB #07-57- Palladino Minor Subdivision Plan-Preliminary Minor Subdivision Approval, Subject to Conditions/Neg. Dec.

**Town of Orangetown Planning Board - Decision
May 13, 2009**

May 13, 2008

Donald Brenner, Jay Greenwell and Paul Olsen appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated May 6, 2009.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated May 13, 2009.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated May 13, 2009.
4. A letter from HDR, signed by Harvey Goldberg, P.E., dated May 6, 2009.
5. A letter from the Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner of Planning, dated May 12, 2009.
6. A letter from Rockland County Department of Highways, signed by Sonny Lin, P.E., dated April 5, 2009.
7. A letter from Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated May 12, 2009.
8. A copy of an E-Mail from Paul E. Olsen, dated May 12, 2009.

Public Comments:

Ann Brennan, 555 North Greenbush Road, Blauvelt, discussed the dinosaur tracks on the site and requested information regarding digging on the other two site. She wanted to know if in the event dinosaur prints are found on those sites, would anything be done.

Jim Cinelli, 547 South Greenbush Road, Blauvelt, raised concerns regarding the increase in traffic to Greenbush Road created by the proposed development.

Elaine Armaniaco, 577 Greenbush Road, Blauvelt, requested that a Full Environmental Assessment Form be submitted for this site. She asked for clarification on the proposed development of the commercial portion of the plan. Ms Armaniaco raised issue of the impact of commercial development on the residential nature of the area. She is concerned about blasting on the site.

Victor Armaniaco, 577 Greenbush Road, Blauvelt, requested information regarding the plan, noting the stakes on the site and that the property lines appear to be different that prior project submissions.

Joseph Levine, 537 South Greenbush Road, Blauvelt, wanted the Board to explain the Planning Board process.

Kelly Maxis, 609 Greenbush Road, Blauvelt, expressed concerns regarding the size the site and the future condition of the existing dirt road on site. Ms Maxis raised concerns regarding blasting on the site.

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PB #07-57- Palladino Minor Subdivision Plan-Preliminary Minor Subdivision Approval, Subject to Conditions/Neg. Dec.

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Maria Minichiello, 28 Erie Street, Blauvelt, objected to the development of more housing and commercial development in Blauvelt.

Max Jacobbi, 604 Route 303, Blauvelt, supports the project, noting that the Town of Orangetown needs to lower taxes for its residents.

A motion was made to close the Public Hearing portion of the meeting by Kevin Garvey and seconded by William Young and carried as follows: Bruce Bond, absent, Andy Stewart, aye, John Foody, aye, William Young, aye, Robert Dell, aye, Jeffrey Golda, aye, and Kevin Garvey, aye.

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (ak) 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 William Young and seconded by Jeffrey Golda and carried as follows: Bruce Bond, absent; Andy Stewart, aye; William Young, aye, Robert Dell, aye; John Foody, aye; Jeffrey Golda, aye and Kevin Garvey, aye the Board declared itself Lead Agency.

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:

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

On motion by Andy Stewart and seconded by John Foody and carried as follows: Bruce Bond, absent; Andy Stewart, aye; Robert Dell, aye; John Foody, aye; William Young, aye; Jeffrey Golda, aye and Kevin Garvey, aye the Board made a Negative Declaration.

DECISION: In view of the foregoing and the testimony before the Board, the application was GRANTED A PRELIMINARY APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

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**Town of Orangetown Planning Board - Decision
May 13, 2009**

1. The following note shall be placed on the Subdivision 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 Subdivision 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.
3. At the time of Site Plan Approval, the applicant shall create a Conservation Easement on the eastern side of Lot #1, in addition to other undisturbed areas on Lots #2 and #3 to be determined at the site of Site Plan approval.
4. The Short Environmental Assessment Form appears to be in order.
5. The 3 lot subdivision plan shall show the Building Envelopes. (It is important to show the building envelopes for each lot so the Planning Board has an accurate indication of what can be approved by right.)
6. Note #3 of the "Notes to Use and Bulk Tables" requires LO zone districts that abut R zone districts to have a 100 foot buffer. The subdivision plan shows a 15 foot buffer, therefore a Zoning Board of Appeals variance needs to be sought for this from the Town of Orangetown Zoning Board of Appeals.
7. The Subdivision Map indicates a proposed 58 foot rear yard setback when 100 feet is required. Therefore a variance from the Town of Orangetown Zoning Board of Appeals will need to be sought.
8. The Drainage Consultant to the Planning Board recommends acceptance for drainage only for the Minor Subdivision of this lot. Under this application, the Applicant is proposing only to subdivide the parcel into three separate lots. No development is proposed or approved under this Minor Subdivision Plan; therefore, there will be no impact on drainage due to the subdivision itself. The proposed development of the 9-Unit Residential Site Plan and the Commercial Site Plan will be reviewed for drainage separately.

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**Town of Orangetown Planning Board - Decision
May 13, 2009**

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

- (●) The applicant shall address concerns of the April 5, 2009 letter from the Rockland County Highway Department and obtain all required permits.
- (●) The concerns expressed in the September 4, 2008 letter from the New York State Department of Transportation shall be addressed and all required permits obtained.
- (●) As indicated in the May 6, 2009 letter from the Rockland County Drainage Agency, a permit will be required. In addition, as required by the Rockland County Stream Control Act, the subdivision must be reviewed and signed by the Rockland County Drainage Agency prior to recording the plat in the Office of the Rockland County Clerk.
- (●) There shall be not net increase in storm water runoff from the site.
- (●) The comments in the September 3, 2008 and April 23, 2008 letters from the Town of Clarkstown shall be reviewed.
- (●) The Rockland County Department of Planning recommends that the steeply sloped areas along Greenbush Road be established as a Conservation Area with no disturbance allowed. This would provide a buffer between the townhouses and Greenbush Road and also provide a visual buffer between the townhouse development, Buttermilk Falls County Park and the single family dwellings that are nearby and more typical of R-40 zoned lands. A note shall be added to the subdivision plat that indicates that this will be done at the time of site plan approval for Lot #1.
- (●) Since the property is opposite the Buttermilk Falls County Park, a review shall be requested from the Rockland County Park Commission and any concerns addressed.
- (●) Since the wetlands on site have been determined to be federal wetlands and that a permit from the U.S. Army Corps of Engineers (ACOE) is required, this agency shall review the proposed plans and all required permits shall be obtained.
- (●) All wetland and wetland buffers areas to be preserved shall be clearly marked in the field prior to any clearing or construction. Notes shall be placed on the subdivision plan regarding this field marking requirement, as well as to explain the long term use restricts for these areas, including that no accessory structures shall be placed in these area. It is suggested that wetland buffers and setbacks be shown as Conservation Areas.
- (●) Any public sewer mains requiring extensions within a right of way or an easement shall be reviewed and approved by the Rockland County Health prior to construction.

PLAT TO SUBDIVISION 11101

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PLAT TO SUBDIVISION 11101

Town of Orangetown Planning Board - Decision
May 13, 2009

Continuation of Condition #9....

(●) Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Towns, Villages and County with an adequate supply of water. A letter from the public water supplier, stamped and sealed by a NYS licensed professional engineer, shall be issued to the municipality for this project, certifying that there will be a sufficient water supply during peak demand periods and in a drought situation.

(●) If any public water supply improvements are required, engineering plans and specification for these improvements shall be reviewed by the Rockland County Department of Health, prior to construction. In order to complete an application for approval of plans for public water supply improvements, the water supplier must supply an engineer's report pursuant to the "Recommended Standards for Water Works, 2003 Edition," that certifies their ability to serve the proposed project while meeting the criteria contained within the Recommended Standards for Water Works. These standards are adopted in their entirety in 10 NYCRR, Subpart 5-1, the New York State regulations governing public water systems. Both the application and supporting engineer's report must be signed and stamped by a NYS licensed professional engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.

(●) A note shall be added to the plat that indicates that the site plan approvals for Lot 1 and Lot 2 will be subject to review by fire and emergency service providers.

(●) Soil Erosion and Sediment Soil Erosion and Sediment Control Plans and details shall be submitted to the Town of Orangetown Department of Environmental Management and Engineering for review and approval. The Soil Erosion and Sediment Control Plan shall meet the NYS Guidelines for Urban Erosion and Sediment Control.

(●) The Rockland County Department of Planning requests the opportunity to review any variances that may be requested from the Town of Orangetown Zoning Board of Appeals in order to implement the revised Site Plan, as required by New York State General Municipal Law, Section 239-m, (a)(v).

(●) In comparing the areas of each of the lots on the site plans for commercial lot and townhouse development with the lot areas on the subdivision plat, there appear to possibly be some minor discrepancies. These may be explained by dedications and other changes in land area that are part of the individual site plan approvals. It is suggested that the surveyor confirm that all the calculations are correct and account for all of the subject property.

PLANNING BOARD

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ORANGETOWN, NY

**Town of Orangetown Planning Board - Decision
May 13, 2009**

10. Rockland County Department of Highways (RCHighways) had the following comments which are incorporated herein as conditions of approval:

- RCHighways favors the revised design that provides a single access point to the County Highway.
- Sight distance calculations shall be submitted to demonstrate on the sight plan for any new proposed access to the County Highway.
- A Traffic Impact Study shall be submitted to demonstrate what impacts if any the proposed development will have upon County, State and Town Roads in the Area.
- A copy of the drainage study with calculations prepared for this project shall be forwarded to RCHighways for additional review.
- Show the List of Drawings on the Title Sheets. To be self – contained, the Existing Conditions Survey and the Storm Water Pollution Control Plan among others will be required as part of the conditions of this permit.
- A Rockland County Highway Department Work Permit will be required for the development of this subdivision and must be secured prior to the start of any excavation or construction thereon. Separate Permits will be required for each lot that has frontage along the County Roadway. At this time, RCHighways would like to inform the applicant that under the Drainage Section of the Rockland County Highway Department Standard Specifications, revised by the County Highway Department in November 2005, a Drainage Maintenance Fee of \$500.00 per legal tax lot will be imposed on each subdivision and/or site plan.

11. Based upon the Rockland County Drainage Agency's (RCDA) evaluation of available mapping and the information submitted, it has been determined that the proposed activity is within the jurisdiction of the RCDA. Accordingly, a permit from the RCDA pursuant to Chapter 846, Rockland County Stream Control Act, is required. The applicant shall submit an application to the RCDA immediately. In addition, the site appears to be located in close proximity to mapped state and federal wetlands. The RCDA suggests that the New York State Department of Environmental Conservation and the U.S. Army Corps of Engineers be contacted by the Lead Agency and requested to make a jurisdictional determination regarding the proposed activity.

12. Rockland County Stream Control Act, Chapter 846, requires that all subdivision maps must be signed by the Chairman of the Rockland County Drainage Agency before the Rockland County Clerk will accept same for filing.

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**Town of Orangetown Planning Board - Decision
May 13, 2009**

13. The Town of Clarkstown Planning Board notes that the revised plans proposed a cluster development to be constructed away from the steep slopes, alleviating the drainage toward the Town of Clarkstown. The site was examined by Paul E. Olsen, PhD., and 4.315 acres of the property will be dedicated to Orangetown as a park. The Planning Board of the Town of Clarkstown has no other concerns and deems the matter for local determination.

14. It is opinion of the Rockland County Division of Environmental Resources that the property should be preserved to provide an opportunity for the public to view the natural history of the site. The County Environmental Resources Division supports the recommendation of Dr. Ed Landing, New York State Paleontologist, that 1 acre or more be preserved as a park with exhibits depicting the geologic and paleontological history of the site. It was further recommended that the Planning Board consult with Dr. Paul Olsen to determine the location on the property to preserve for such a park.

15. Formal application for Sewer Extension is to be submitted to the Rockland County Department of Health (RCDOH), office of Environmental Health. If the sewer mains are to be privately owned and maintained, then a Transportation Corporation must be formed in accordance to Article 10, "Sewage-Works Corporations" of the New York State Transportation Corporation Law for the Commercial portion of this application.

16. Application is to be made to RCDOH for a water main extension. This application is to be made through United Water New York.

17. Application is to be made to the RCDOH for review of the stormwater management system for compliance with the County Mosquito Code.

18. The driveway shall be constructed to allow access for fire apparatus in all weather. This shall include features for width, turning radius and to support the weight of an apparatus, some exceed 45,000 pounds. A fire department sprinkler connection shall be located on the south or west side of the building.

19. 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 Highway
- Rockland County Drainage Agency
- Rockland County Department of Health
- Rockland County Drainage Agency
- Town of Orangetown Zoning Board of Appeals

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**Town of Orangetown Planning Board - Decision
May 13, 2009**

20. Rockland County Sewer District #1 had the following comments which are incorporated herein as conditions of approval:

21. The subdivision is located outside the boundaries of Rockland County Sewer District No. #1 (District), but will connect to the District's sewer system on Route 303 in the Town of Clarkstown. A permit application **for each connection** must be submitted to the Executive Director, which must be supplemented by any plans, specifications, insurance indemnification, or other information considered pertinent in the judgment of the Executive Director. The application must be accompanied by:

- a. A resolution from the municipality in which this project is located, which approves the hookup of the sewer from this project to the Rockland County Sewer District No. 1 sewer system.
- b. An out-of-district connection fee of three thousand seven hundred dollars (\$3,700.00) per connected unit, or as established by resolution of the Board of Sewer Commissioners, which must be paid within thirty (30) days of the Board's approval of the connection.
- c. The annual sewer use fee for operation and maintenance, which must be paid within ten (10) days of sewer service becoming available and pro-rated as of that date.
- d. The area benefit fee, which commences on the date of the Board of Sewer Commissioners' approval of the project. (Area benefit is calculated by an annual tax rate per one hundred dollars (\$100.00) of assessed value. This fee must be paid before release of approval.)
- e. An executed copy of a covenant agreeing to abide by the rules, laws and regulations of the District and its Law, as it may be amended, including the payment of annual sewer use fees and annual area benefit fees. This covenant must be:
 - i. In recordable form, including all prior mortgages or other encumbrances,
 - ii. Accompanied by requisite fees for recording as set forth by the County Clerk,
 - iii. Accompanied by an up to date Title Report and paid policy of Title Insurance,
 - iv. Acknowledged by owner of the land, and
 - v. Accompanied by a complete site survey and property description.

TOWN OF ORANGETOWN

MAY 22 2009

TOWN OF ORANGETOWN

**Town of Orangetown Planning Board - Decision
May 13, 2009**

- 22. Out-of-District connections to Rockland County Sewer District No. 1 may require prior approval from the New York State Department of Environmental Conservation.
- 23. As the proposed two-story commercial building is non-residential, Rockland County Sewer District No. 1's "Commercial/Non-residential Wastewater Questionnaire" must be submitted to and approved by RC Sewer District No. 1 for commercial building before any sewage is discharged into the District's sewerage system. The developer or owner must sign the water questionnaire.
- 24. Details for sanitary sewer construction must comply with the District's construction standards and shall be shown on the plans.
- 25. Rockland County Sewer District No. 1 requires sanitary sewer construction to conform to District standards. This includes but is not limited to relative air, vacuum and deflection testing of mainline sewer and manhole construction. The District must receive and approval certification of test results from a licensed professional engineer before approving the sewers on this project. If District standards differ from Town of Orangetown standards, the stricter standards will apply.
- 26. In order to reduce infiltration into the system, the District requires that the precast and doghouse sanitary manhole construction be in accordance with the District's standards. The District's standard details require the joints to have butyl rubber seals with mortar in and out, and then to be coated with "Infi-shield" EPDM rubber seal wrap or approved equal.
- 27. The District requests that submission of as-built drawings of the proposed sanitary sewer extension to Rockland County Sewer district No. 1 be made a condition of granting a Certificate of Occupancy. A note shall be placed on the Site Plan regarding this requirement.
- 28. Details for the sanitary sewer connections are subject to approval by the Town of Orangetown.
- 29. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plats prior to signing the final plans.
- 30. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Subdivision Plan.
- 31. TREE PROTECTION: The following note shall be placed on the Subdivision Plan:
The Tree Protection and Preservation Guidelines adopted pursuant to Section 21-24 of the Land Development Regulations of the Town of Orangetown will be implemented in order to protect and preserve both individual specimen trees and buffer area with many trees. Steps that will be taken to reserve and protect existing trees to remain are as follows:

TOWN OF ORANGETOWN

MAY 26 2009

TOWN OF ORANGETOWN

**Town of Orangetown Planning Board - Decision
May 13, 2009**

Continuation of Condition #31....

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:

- One (1) foot radius from truck per inch DBH
- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

32. 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.

33. 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.

34. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.

PLANNING BOARD

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TOWN OF ORANGETOWN

PB #07-57- Palladino Minor Subdivision Plan-Preliminary Minor Subdivision Approval, Subject to Conditions/Neg. Dec.

**Town of Orangetown Planning Board - Decision
May 13, 2009**

35. If the applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant shall submit their recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's disagreement with the decision of DEME, or in the event of a significant change resulting to the 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. Wetlands - U.S. Army Corps of Engineers).

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

37. 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

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

The foregoing Resolution was made and moved by Kevin Garvey and seconded by John Foody and carried as follows: Bruce Bond, absent; Andy Stewart, aye; William Young, aye; John Foody, aye; Robert Dell, aye; Jeffrey Golda, aye and Kevin Garvey, aye.

The Clerk to the Board 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: May 13, 2009

Town of Orangetown Planning Board
Planning Board OBZPAE RC Planning
Env. Mgt. Eng. LMS Town Board
PRC Supervisor



RC Drainage RC Highway
Assessor Town Attorney

PLANNING BOARD

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TOWN CLERK

**State Environmental Quality Review Regulations
NEGATIVE DECLARATION – NOTICE OF DETERMINATION OF
NON-SIGNIFICANCE**

**PB #07-57- Palladino Minor Subdivision Plan-Preliminary Minor Subdivision
Approval, Subject to Conditions/Neg. Dec.**

**Town of Orangetown Planning Board - Decision
May 13, 2009
Page 16 of 16**

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 be prepared.

NAME OF ACTION: Palladino Minor Subdivision Plan

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Minor Subdivision Plan Review

LOCATION: The site is between New York State Route 303 on the east and Greenbush Road on the west. The Town of Clarkstown forms the northerly property line. A small wetland is located along the northerly property line, Route 303, Blauvelt, New York, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 65.15, Block 1, Lot 1 in the LO/R-40 zoning districts.

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 action. 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:

John Giardiello, P.E., Director, 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

05/13/09 9:30 AM 5

STATE OF NEW YORK

**PB #17-27: Rathmagurry Subdivision Plan– Consultation
Town of Orangetown Planning Board Decision**

June 14, 2017
Page 1 of 1

**TO: Brendan Cunney, Rathmagurry Realty, 100 Brenner Drive,
Congers, New York 10920**
FROM: Orangetown Planning Board

RE: Rathmagurry Subdivision: The application of Rathmagurry Realty, Inc., owner, for Consultation Subdivision Plan Review at a site to be known as “**Rathmagurry Subdivision 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 21 of the Code of the Town of Orangetown. The site is located at 636 North Greenbush Road, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.15, Block 1, Lot 1 in the R-40/ LO zoning districts.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, June 14, 2017**, the Board made the following determinations:

Brian Cunny and Jay Greenwell appeared and testified.
The Board received the following communications:

1. Project Review Committee Report dated June 7, 2017.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardello, P.E., Director, dated June 14, 2017.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated June 8, 2017.
4. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief, dated June 5, 2017.
5. A Narrative Summary of the proposed subdivision.
6. Plan prepared by Jay Greenwell, PLS, dated March 7, 2017; “Residential Subdivision and Commercial Site Development Plan of Property for Rathmagurry”.
7. Submitted at the meeting, Subdivision and Site Plans entitled “Subdivision of Property for Palladino”, dated October 31, 2008, last revised June 6, 2009
 - Subdivision Plan
 - Site Plan, Grading, Drainage and Utility Plan Lot 1 Townhouses
 - Site Plan, Grading, Drainage and Utility Plan Lot 2 Commercial

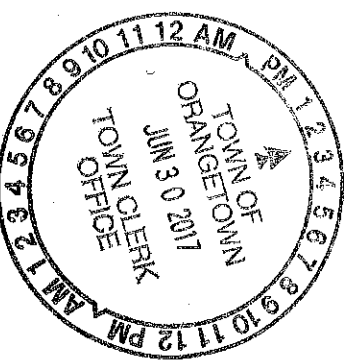
The Board reviewed the plan. The applicant stated that it wanted to return to the prior plan that received Preliminary Subdivision Approval “Palladino Subdivision”, and the proposed Site Plan, as submitted at the Planning Board Meeting.

The hearing was then opened to the Public.

CONSULTATION: In view of the foregoing and the testimony before the Board, the Board recommended that the applicant proceed with the prior Subdivision and Site Plan proposal for the property.

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

Dated: June 14, 2017
Cheryl Coopersmith
Chief Clerk Boards and Commissions



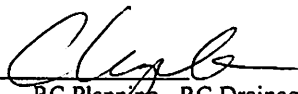
Page 2 of 2
Palisades VW, Audi, Volvo Site Plan
PB #99-86
Consultation for Site Plan Review and
a Use Variance
May 12, 1999

2. A note shall be added to the Site Plan indicating the source benchmark for the referenced datum, including BM elevation.
3. Drainage calculations, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted for review and approval by the Town Drainage Consultant and the Department of Environmental Management and Engineering. The design of the onsite storage shall achieve a zero increase in runoff from the proposed site.
4. The applicant is advised that any construction disturbance of 5 acres or greater requires a New York State Department of Environmental Conservation SPDEs permit for storm water quantity and quality.
5. Calculations for the proposed sanitary sewer mains, including additional proposed flow, prepared and sealed by a NYS Licensed Professional Engineer, shall be submitted to the Town of Orangetown Department of Environmental Management and Engineering (DEME) for review and approval.
6. The applicant is reminded that the proposed sanitary lines "tie" into the Rockland County Sewer District #1 system. Therefore, the applicant shall obtain a recommendation from DEME, approvals from the Town of Orangetown Town Board and the Rockland County Board of Sewer Commissioners to qualify for "Out of District" sewer use status, from the Rockland County Sewer District #1.
7. A detail for the proposed retaining walls, designed and sealed by a NYS Licensed Professional Engineer, shall be added to the site plan for review. Design calculations for the wall shall be submitted to DEME and the Town of Orangetown Building Department for review and approval.
8. Profiles for the sanitary and storm sewer lines shall be provided with the site plan.
9. Any area with a slope greater than 25% shall be indicated on the plan, if applicable.
10. A permit from the NYS Department of Transportation will be required for the proposed sanitary sewer installation along Route 303.

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

Dated: May 12, 1999

Planning Board
Planning Board
Env. Mgt. Eng.
PRC

BY:  decd.
OBZPAE RC Planning RC Drainage RC Highway
LMS Town Board Assessor Town Attorney
Supervisor May 12B pg 7-8

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Donald Brenner, P.E., LL.B.

*Attorney-At-Law • Professional Engineer
4 Independence Avenue, Tappan, New York 10983*

Phone 845-359-2210

Fax 845-359-8070

MEMORANDUM

TO: Honorable Rosanna Sfraga
Town Clerk, Town of Orangetown

CC: Robert Magrino, Town Attorney

FROM: Donald Brenner, P.E., LL.B.

DATE: September 16, 2019

RE: Ryerson Farms, LLC
Zone Change
LO & R40 to MFR
Route 303 - Greenbush Road, Blauvelt, NY 10913
Section 65.15 Block 1 Lot 1
#19-1314G

As requested, attached please find the Entity Disclosure form for Ryerson Farms, LLC.

If you require additional information feel free to contact me.

Thank you.

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
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: Patriots Crossing

PROPERTY ADDRESS: 636 N Greenbush Rd Blauvelt NY

TAX LOT ID: 65.15-1-1

NAME OF APPLICANT: Ryerson Farms LLC

OWNER OF PROPERTY: Rathmagurry Realty Inc

Land Use Application/Brief Description of Project: Zone Change Request from existing LO/R-40 to MFR. This will allow the construction of townhomes off State Highway Route 303.

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 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; (kindly label the supplemental sheets).

Name of Entity:	Ryerson Farms LLC
Address:	275 N Middletown Rd Pearl River NY 10965
Telephone Number:	845.590.0646
E-Mail Address:	wpbtcg@gmail.com
State/Date of Formation:	New York-6/09/2017
Contact Person:	Christine Brodsky

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. Christine Brodsky	350 Boxberger Rd Valley Cottage NY 10989	845.323.6660	wpbtcg@gmail.com	Managing Member 100% interest
2.				
3.				
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 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)
) ss.:
 COUNTY OF ROCKLAND)

I, Christine Brodsky, being duly sworn, deposes and says that I am (Title) Managing Member, an active or qualified member of the Ryerson Farms LLC, 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.

Christine Brodsky
 Signature

Sworn to and subscribed in my presence
 This 11th day of September, 2019

Barbara Zerbo
 NOTARY PUBLIC

Barbara Zerbo
 Notary Public, State of New York
 No. 01ZE622658
 Qualified in Rockland County
 Commission Expires 5/24/2022

Donald Brenner, P.E., LL.B.

*Attorney-At-Law • Professional Engineer
4 Independence Avenue, Tappan, New York 10983*

Phone 845-359-2210

Fax 845-359-8070

MEMORANDUM

TO: Honorable Rosanna Sfraga
Town Clerk, Town of Orangetown

CC: Robert Magrino, Town Attorney

FROM: Donald Brenner, P.E., LL.B.

DATE: September 16, 2019

RE: Ryerson Farms, LLC
Zone Change
LO & R40 to MFR
Route 303 - Greenbush Road, Blauvelt, NY 10913
Section 65.15 Block 1 Lot 1
#19-1314G

As requested, attached please find the Entity Disclosure form for Ryerson Farms, LLC.

If you require additional information feel free to contact me.

Thank you.

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
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Land Use Application/Brief Description of Project: Zone Change Request from existing LO/R-40 to MFR. This will allow the construction of townhomes off State Highway Route 303.

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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; (kindly label the supplemental sheets).

Name of Entity:	Ryerson Farms LLC
Address:	275 N Middletown Rd Pearl River NY 10965
Telephone Number:	845.590.0646
E-Mail Address:	wpbtcg@gmail.com
State/Date of Formation:	New York-6/09/2017
Contact Person:	Christine Brodsky

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. Christine Brodsky	350 Boxberger Rd Valley Cottage NY 10989	845.323.6660	wpbtcg@gmail.com	Managing Member 100% interest
2.				
3.				
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
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- 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 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)
) ss.:
 COUNTY OF ROCKLAND)

I, Christine Brodsky, being duly sworn, deposes and says that I am (Title) Managing Member, an active or qualified member of the Ryerson Farms LLC, 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.

Christine Brodsky
 Signature

Sworn to and subscribed in my presence
 This 11th day of September, 2019

Barbara Zerbo
 NOTARY PUBLIC

Barbara Zerbo
 Notary Public, State of New York
 No. 01ZE622658
 Qualified in Rockland County
 Commission Expires 5/24/2022

PROPOSAL

Proposal Submitted by:
Personalized Landscaping, Inc.
Richard Rasmussen
644 Oak Tree Road
Palisades, NY 10964
845-222-1336

Date: 08/05/2019

Proposal Submitted to:
Town of Orangetown
RE: 38 HORAN PLACE
TAPPAN, NY 10983

We hereby propose to furnish the equipment and labor necessary for completion of:

Property clean up and restoration:

1. Trim all bushes and cut hanging branches from trees onto ground.
2. Cut existing lawn areas.
3. Weed whacking of entire property of all overgrown areas

PRICE FOR COMPLETION OF ALL WORK ABOVE: \$2100.00 INCLUDING DUMPING OF ALL DEBRIS
DATES FOR COMPLETION ARE AUGUST 13TH AND 14TH

To continue maintaining property: \$125.00 a month
Can also spray property with organic tick control if requested: 150.00

All material is guaranteed to be as specified, and the above work to be performed in accordance with the specifications submitted for above work and completed in a substantial workmanlike manner.

Any alteration or deviation from the above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays are beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Worker's Compensation and Public Liability Insurance on above work to be taken out by Jeffrey Kavovit Insurance Agency.

Respectfully submitted by Richard Rasmussen

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date _____ Signature _____

*If needed call
845-222-1336*

RECEIVED

AUG 5 2019

TOWN OF ORANGETOWN
BUILDING DEPARTMENT

SCANNED

DATE: 8/6/19

Marty's Lawn Care, Inc.

P.O. Box 35
Orangeburg, NY 10962
845-359-2550

ESTIMATE

Date	ESTIMATE #
7/1/2019	201

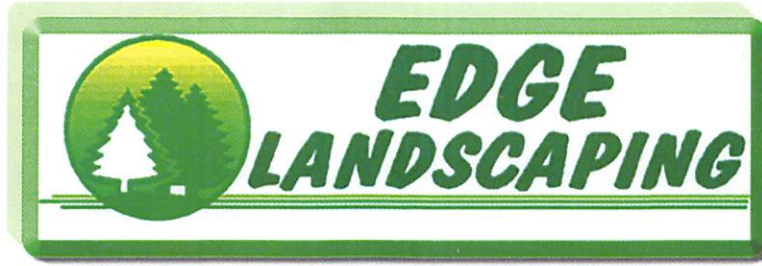
Name / Address
TOWN OF ORANGETOWN ORANGEBURG ROAD ORANGEBURG, NY 10962

			Project
Description	Qty	Cost	Total
LOCATION OF PROPERTY: 38 HORAN PL TAPPAN NY 10983 REMOVE OVER GROWTH AND DEBRIS ON PROPERTY FOR NEAT APPEARANCE WITH DUMPING/LABOR		1,450.00	1,450.00
ADDITIONAL MOWING PROPERTY AS NEEDED \$45 PER CUT		45.00	45.00
		Subtotal	\$1,495.00
		Sales Tax (8.125%)	\$0.00
		Total	\$1,495.00

RECEIVED

AUG 7 2019

TOWN OF ORANGETOWN
BUILDING DEPARTMENT



P.O. Box 883*Pearl River New York 10965*(845)398-3032*(845)398-0126 fax*WWW.Edgelandscap.com

August 1st, 2019

Town of Orangetown
20 Greenbush rd
Orangeburg NY 10962
Business Reg# H-08676-18-20-00 NY

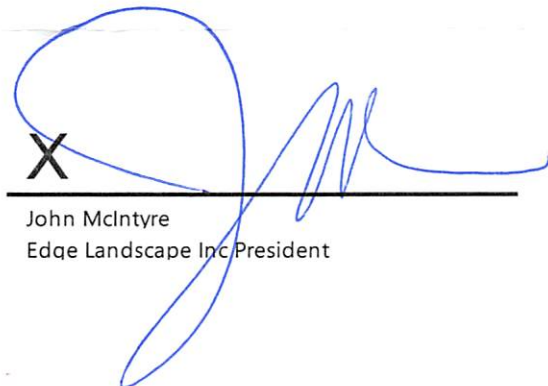
Scope of Work for: 38 Horan Street Tappan NY 10983

Spring Cleanup: Property is overgrown and needs the clean up which will include the removal of debris in areas and planting beds. Removal of debris off site and dumped. Property will be left in a clean and neat appearance. **Cost for the initial clean up \$700.00**

Shrubs & Brush: Trimming of shrubs and brush from overgrowth. With the removal of debris taken and dumped off site **Cost for the trimming \$350.00**

Maintenance of property: Once a month cutting of property along with blowing down the loft of any debris. Service to start in August and run through till November.

Cost for the monthly maintenance \$100.00 per month

X 

John McIntyre
Edge Landscape Inc President

X

Town of Orangetown Building Dept

RECEIVED
AUG 20 2019
TOWN OF ORANGETOWN
BUILDING DEPARTMENT

**DENNIS D. MICHAELS ESQ.'S 09/19/2019 VERSION OF HAVOR'S 05/14/2019
PROPOSED AMENDMENTS TO ORANGETOWN CODE CHAPTER 12 – HISTORICAL
AREAS BOARD OF REVIEW**

Proposed new language is typed in bold Arial font; existing language is typed in Times New Roman font, and existing language, that is proposed to be deleted, is ~~stricken~~.

§ 12-1. Legislative intent.

The Town Board of the Town of Orangetown (**“Town Board,” and “Town” or “Orangetown,” respectively**) hereby determines that portions of the Town of Orangetown located in the Hamlet of Tappan and in the Hamlet of Palisades are of such historic value, by reason of places, buildings and other objects which relate to the early colonial history of the Town of Orangetown and the County of Rockland, to the days of the American Revolution, to the development of the Town of Orangetown and of Rockland County through the 19th century and to the end of World War I, that these areas should be protected by action of the Town Board. The historic buildings, places and other objects within these areas are symbols of this rich heritage, giving them an aspect and appearance reminiscent of an earlier time. It is the purpose and intent of this local law to protect these places, buildings and other objects and thereby preserve the overall historic look and character within the Tappan and Palisades Historic Areas for future generations.

§ 12-2. Area defined.

The areas of the Town of Orangetown to be included within the boundaries of the ~~h~~**H**Historic ~~a~~**A**reas of the Hamlets of Tappan and Palisades are delineated on maps of each hamlet which are on file in the Town Clerk's office of the Town of Orangetown, to which reference is hereby made. Said maps shall remain on file in the office of the Town Clerk where they shall be available for any interested person at all times.

§ 12-3. Definitions.

As used in this local law, the following terms shall have the meanings indicated:

ALTERATION — Any act or process that changes one or more exterior feature of a structure or building.

ARCHITECTURALLY SIGNIFICANT STRUCTURE — ~~Regarding a structure built after 1918;~~
An architecturally significant structure is one which represents a rare or early example of a design that has become a widely known style associated with a particular architectural period.

CONSISTENT WITH — Used in reference to alterations, it means that added exterior architectural features and building materials shall be compatible and harmonious with, but not necessarily identical to, those of the existing structure or original structure.

CONSTRUCTION — Any act of erecting an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

HARMONIZE or HARMONIOUS — Where used to characterize a structure with relation to surrounding structures, refers to, but is not limited to, congruity in features such as building height, width, square footage, position on site and architectural style.

MONUMENT SIGN — A freestanding sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick.

REPAIR — Replacement in kind or refurbishment of materials on a structure.

STRUCTURE — Any assembly of materials forming a construction framed of component structural parts for occupancy or use, including buildings.

§ 12-4. Controls within the hHistoric aAreas.

- A. Any change in the exterior design or appearance of a structure ~~constructed before December 31, 1918, in the hHistoric aAreas shall require a building permit, Changes to structures constructed after December 31, 1918, shall require permits only where the New York State Uniform Fire Prevention Code and Orangetown Building Code presently require them.~~ **and a** All applications for building permits, with respect to new or existing structures within the hHistoric aAreas, shall be reviewed and decided upon by ~~a Board of Review~~ **the Historical Areas Board of Review (“HABR”)** appointed by the Town Board pursuant to Chapter 18A of the Orangetown Code; **except as set forth in §12-4(F) below .**
- B. All applications for building permits in the hHistoric aAreas shall be accompanied by a set of detailed plans and specifications. Proposed changes, additions or new construction shall be in keeping with the existing structure, and proposed new structures shall harmonize with surrounding buildings yet not necessarily recall any historic style.
- C. In the event that ~~the Historical Areas Board of Review~~ **HABR** shall disapprove any applications or plans and specifications hereunder, the applicant shall have the right to appeal to the Zoning Board of Appeals of the Town of Orangetown in accordance with the provisions of law established for appeals from the Orangetown Zoning Code **(Chapter 43 of the Orangetown Code)**. Any application which shall be disapproved by the Zoning Board of Appeals may be reviewed pursuant to Article 78 of the Civil Practice Law and Rules, subject to the same provisions and the same manner as though said Board of Appeals has denied a special permit to the applicant under any of the other provisions of the Orangetown Zoning Code. Notwithstanding the above, an applicant whose plans have been disapproved may apply for relief to the Zoning Board of Appeals on the grounds of hardship. In order to prove the existence of hardship, the applicant shall establish that he or she is unable to make any economically viable use of the property whether for income-producing purposes or for private use or that the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return.
- D. Any owner within the hHistoric aAreas desiring to repair an existing structure has the right to replace or repair with the same material without a building permit unless otherwise required by Town ordinance or local law.
- E. ~~Owners of structures constructed before December 31, 1918, desiring to make alterations more extensive than repairs shall design such alterations only in a manner consistent with the exterior materials, scale, fenestration, colors, design and appearance of the existing or of the original structure.~~

- F. Owners of structures ~~constructed after December 31, 1918~~, desiring to make alterations more extensive than repairs and thus requiring a building permit are to use materials and designs, where possible, that are consistent with the existing structure. Notwithstanding the above, the Board of Review shall permit the use of modern building materials. In the case of an architecturally significant structure, the Board of Review shall permit the use of modern building materials where it determines that such use is appropriate and creates an appearance that is harmonious with structures in the immediate surrounding area. **Any change to the exterior color of a structure in a Historic Area, or to the exterior color of any architectural feature of a structure, requires the prior review and approval of HABR, which shall be initiated by an application for a Building Permit. However, a change to any of the following colors, set forth in sub-sections “1” through “3” below, shall not require HABR review, nor HABR approval. Notwithstanding the foregoing, a change to any of the following colors, set forth in sub-sections “1” through “3” below, shall only be allowed pursuant to a Building Permit, limited to such color change only, for which Building Permit there shall be no fee:**
- (1). White.
 - (2). Any color from a list, approved by HABR and the Town Board, of paint colors that are appropriate for, and harmonious with, homes in the Historic Areas, which list of appropriate and harmonious paint colors in the Historic Areas is attached to this Chapter 12 as “12 Attachment 1,” and entitled “LIST OF APPROPRIATE AND HARMONIOUS PAINT COLORS IN THE HISTORIC AREAS.”
 - (3). Legally existing exterior colors of legally existing structures, and their exterior architectural features, may be repainted their existing colors.
- G. New structures are to harmonize in general character with structures built in the immediate surrounding area. Notwithstanding the above, no new structure shall be required to be a copy of any particular style or architectural period.
- H. Applications by owners of structures constructed before December 31, 1945, in ~~the Historic Area~~ **in a Historic Area**, who desire to tear down **or demolish** a structure, shall be reviewed by ~~the Historic Areas Board of Review (HABR)~~ **HABR** at a public hearing. Upon referral of an application to ~~the Historical Areas Board of Review~~ **HABR** by the Director of the **Orangetown** Office of Building, Zoning **and** Planning Administration and Enforcement (“OBZPAE”), the applicant shall be required to place a public notice in an official newspaper of the Town, and at the structure, at least five business days prior to the public hearing. Proof of publication of the public notice in the official Town newspaper, and proof of posting at the structure, shall be provided to the Clerk of ~~the~~ **HABR** at or prior to the public hearing. The demolition permit shall not be issued until 90 days shall have passed following the date on which the public hearing on the permit shall have been conducted and completed.
- I. In the event that the application of any provisions of this local law shall constitute the taking of private property without just compensation, the property owner shall be entitled to due compensation therefor, and such compensation may include the

limitation or remission of taxes.

§ 12-5. Uses permitted in the Tappan Historic Area.

Only existing R-15, LO and CS zoning uses, as defined in the Orangetown Zoning Code, shall be permitted within the Tappan Historic Area. The Table of General Use Regulations of the Orangetown Zoning Code shall apply to the above districts within the Tappan Historic Area with the following specific additions, exceptions or modifications:

- A. In CS Districts:
 - (1) To the uses permitted in Column 2 of the Table of General Use Regulations, there shall be:
 - (a) Added: one-family residences, public libraries and museums, parks, antique and art shops, restaurants serving alcoholic beverages, provided that a restaurant operation approved by the New York State Liquor Authority is conducted at all times, handcraft shops and china, earthenware, porcelain and glassware shops.
 - (b) Excluded: outdoor newsstands, automobile sales rooms, auto supply stores and department stores.
 - (2) Permitted: all uses described in Columns 3 and 4 of the Table of General Use Regulations, except that hotels and motels shall not exceed two stories in height, subject to the approval of the appropriate board, i.e., Town Board, Zoning Board of Appeals or Planning Board.
 - (3) Permitted: all uses and regulations described and permitted in Columns 5, 6, and 7 of the Table of General Use Regulations, except that signs shall conform to the requirements of R-15 District monument signs, if permitted, and would not exceed 20 square feet.
- B. In R-15 Districts, all uses described in Columns 2 through 7 of the Table of General Use Regulations shall be permitted, except that the uses permitted in Columns 3 and 4 shall be subject to the approval of the appropriate board, i.e., Town Board, Zoning Board of Appeals or Planning Board.
- C. In LO Districts:
 - (1) Single-family detached residences shall be added to the uses permitted in Column 2 of the Table of General Use Regulations.
 - (2) All uses and regulations described and permitted in Columns 3, 4, 5, 6 and 7 of the Table of General Use Regulations shall be permitted, except that the uses permitted in Columns 3 and 4 shall be subject to the approval of the appropriate board, i.e., Town Board, Zoning Board of Appeals or Planning Board; and provided that airports, heliports, manufacturing, standpipes, water tanks and satellite dish antennas shall be excluded; and further provided that all signs shall conform to the requirements of an R-15 District unless otherwise permitted by the Board of Review.
- D. Bulk regulations. The Table of General Bulk Regulations of the Orangetown Zoning Code in effect at this time shall apply to the above districts (R-15, LO and CS) within the historic area, except that with respect to one-family residences in LO and CS Zones, R-15 bulk regulations, with exceptions, shall apply.
- E. Nonconforming uses. Existing nonconforming uses within the historic area, if any, shall fall under the provisions of the Orangetown Zoning Code. Excluded uses. Airports and heliports, high-tension transmission lines and accessory poles and

towers are excluded in the Tappan Historic Area, except that high-tension transmission lines may be installed completely underground.

§ 12-6. Uses permitted in the Palisades Historic Area.

Only existing R-80, R-40, R-15 and CS zoning uses, as defined in the Orangetown Zoning Code, shall be permitted within the Palisades Historic Area. The Table of General Use Regulations of the Orangetown Zoning Code shall apply to the above districts within the Palisades Historic Area with the following specific additions, exceptions or modifications:

- A. In CS Districts:
 - (1) To the uses permitted in Column 2 of the Table of General Use Regulations, there shall be:
 - (a) Added: one-family residences, public libraries and museums, parks, antique and art shops, restaurants serving alcoholic beverages, provided that a restaurant operation approved by the New York State Liquor Authority is conducted at all times, handcraft shops and china, earthenware, porcelain and glassware shops.
 - (b) Excluded: outdoor newsstands, automobile sales rooms, auto supply stores and department stores.
 - (2) Permitted: all uses described in Columns 3 and 4 of the Table of General Use Regulations subject to the approval of the appropriate board, i.e., Town Board, Zoning Board of Appeals or Planning Board, except airports and heliports, high-tension lines and accessory poles and towers; and provided that hotels and motels shall not exceed two stories in height; and further provided that high tension transmission lines may be installed completely underground.
 - (3) All uses and regulations described and permitted in Columns 5, 6, and 7 of the Table of General Use Regulations shall be permitted, except that signs shall conform to the requirements of R-15 District monument signs, if permitted, and would not exceed 20 square feet.
- B. In R-15 Districts, all uses described in Columns 2 through 7 of the Table of General Use Regulations shall be permitted, except airports and heliports, high-tension transmission lines unless installed completely underground, accessory poles and towers; and except that the uses permitted in Columns 3 and 4 shall be subject to the approval of the appropriate board, i.e., Town Board, Zoning Board of Appeals or Planning Board.
- C. In R-40 Districts: same as Subsection B of this section.
- D. In R-80 Districts: same as Subsection B of this section.
- E. Bulk regulations. The Table of General Bulk Regulations of the Orangetown Zoning Code in effect at this time shall apply to the above districts (R-80, R-40, R-15 and CS) within the historic area; except that, with respect to one-family residences in CS Zones, R-15 bulk regulations, with exceptions, shall apply.
- F. Nonconforming uses. Existing nonconforming uses within the historic area, if any, shall fall under the provisions of the Orangetown Zoning Code.

§ 12-7. Legislative intent; severability.

Each of the foregoing provisions of this local law has been adopted in an endeavor to preserve and extend the public welfare by preserving the characteristics of the Historic Areas in the Hamlets of Tappan and Palisades. In the event that any portion of this local law shall be determined to be invalid, such determination shall not affect or result in the invalidity of any other provision contained in this local law.

§ 12-8. Conflict with other ordinances and local laws.

In the event that any of the provisions of this local law shall be in conflict with the provisions of any other local law or ordinance of the Town of Orangetown, the provisions of this local law shall control.

RECEIVED

SEP - 9 2019

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

TOWN OF ORANGETOWN
SPECIAL USE PERMIT FOR USE OF TOWN PROPERTY/ITEMS

PERMIT # 19-SP-46

RECEIVED
SEP 12 2019
Orangetown Police Department

EVENT NAME: South Orangetown Day
APPLICANT NAME: Marisa Marrone
ADDRESS: 22 Greenbush Road
PHONE #: - CELL # (914) 629-7508 FAX # -
CHECK ONE: PARADE RACE/RUN/WALK OTHER Day Event
The above event will be held on 10/19 from 11AM to 6PM RAIN DATE: N/A
Location of event: The Manse Barn 32 Old Tappan Rd. Tappan, NY 10983
Sponsored by: _____ Telephone #: _____

Address: _____
Estimated # of persons participating in event: 500 vehicles 150

Person (s) responsible for restoring property to its original condition: Name-Address-Phone #:
Marisa Marrone 29 Fairview Lane Orangeburg

Signature of Applicant: Marisa Marrone Date: 9/5/2019

GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS/POLICE)
Letter of Request to Town Board requesting aid for event - Received On: 9.9.19
Certificate of Insurance - Received On: 9.10.19

FOR HIGHWAY DEPARTMENT USE ONLY:
Road Closure Permit N - Received On: 9.9.19
Rockland County Highway Dept. Permit: N - Received On: in process
NYS DOT Permit: N - Received On: X
Route/Map/Parking Plan: N - Received On: X
RFS #: 45572 BARRICADES: Y/N CONES: Y/N TRASH BARRELS: Y/N OTHER: Message Board Dampster
APPROVED: [Signature] DATE: 9.10.19
Superintendent of Highways

FOR PARKS & RECREATION DEPARTMENT USE ONLY:
Show Mobile: N - Application Required: _____ Fee Paid - Amount/Check # _____
Port-o-Sans: N: (2) @handicap Other: _____
APPROVED: [Signature] DATE: 9/11/19
Superintendent of Parks & Recreation

FOR POLICE DEPARTMENT USE ONLY:
Police Detail: N: X Items: _____
APPROVED: [Signature] DATE: 9/12/19
Chief of Police

RECEIVED

SEP 13 2019

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

** Please return to the Highway Department to be placed on the Town Board Workshop **

Workshop Agenda Date: 10.1.19 Approved On: _____ TBR #: _____

19-SP46

JAMES J. DEAN
Superintendent of Highways
Roadmaster II

Orangetown Representative
R.C. Soil & Water Conservation Dist.-Chairman
Member:
American Public Works Association NY Metro Chapter
NYS Association of Town Superintendents of Highways
Hvy. Superintendents' Association of Rockland County



**HIGHWAY DEPARTMENT
TOWN OF ORANGETOWN**

119 Route 303 • Orangeburg, NY 10962
(845) 359-6500 • Fax (845) 359-6062
E-mail - highwaydept@orangetown.com

RECEIVED

SEP - 9 2019

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

**ROAD CLOSING PERMIT APPLICATION
Section 139 Highway Law**

NAME Marisa Marrone DATE 9/5/2019
COMPANY South Orangetown Day
ADDRESS 22 Greenbush Road
TELEPHONE (914) 629-7508
(INCLUDE 24 HOUR EMERGENCY NUMBERS)

ABOVE MENTIONED PARTY REQUESTS PERMISSION TO CLOSE:

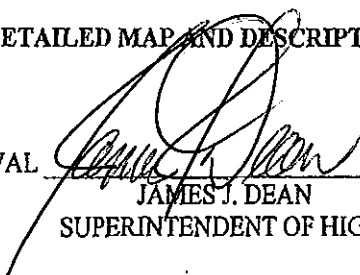
Greenbush Road / Main Street (one way road)
(Address number and name of road)

Old Tappan Road, Kings Highway
(Intersecting streets and/or description of exact location)

REASON FOR CLOSING _____

DATE OF CLOSING October 19, 2019 RAIN DATE N/A
TIME ROAD WILL BE CLOSED 10 AM - 6 PM
WILL ROAD BE OPEN TO LOCAL TRAFFIC? NO
WILL ROAD BE OPEN TO EMERGENCY VEHICLES? NO

PLEASE PROVIDE A DETAILED MAP AND DESCRIPTION OF DETOUR IF TRAVEL WILL BE RESTRICTED.

PRELIMINARY APPROVAL  DATE 9.10.19
JAMES J. DEAN
SUPERINTENDENT OF HIGHWAYS

This permit application will be forwarded to the Rockland County Superintendent of Highways, County of Rockland, 23 New Hempstead Road, New City, NY, 10956. You will receive written confirmation from that office.

8-13-02bjd

HAMLETS: PEARL RIVER • BLAUVELT • ORANGETOWN • TAPPAN • SPARKILL • PALISADES • UPPER GRANDVIEW



CLEAN STREETS = CLEAN STREAMS



19-SP-46
TFS# 145572

RECEIVED

SEP - 9 2019

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

September 4, 2019

Good Afternoon,

This letter is a request to the town board requesting aid for the 5th Annual South Orangetown Day taking place on the Greens at the Manse Barn in Tappan on Saturday, October 19th from 11-6pm. We are excited with the feed back we have received this year and are looking forward to a great day to celebrate the wonderful towns in all of South Orangetown. We would like to request some items to help make our event successful.

We would like to request the following from the highway department:

- one dumpster
- six trash barrels
- six barricades
- seven cones

Electric message board in front of Town Hall with details of the event (week before to advertise where and when)

} HWY

We would also like to invite the Highway department to attend and distribute recycling bins and bags.

A request has been made to Parks and Recreation Center for the towns showmobile as well as two porta sans, one with handicap access.

} Parks

Please let me know if there is anything further you need.

Thank you for your support in making the 5th Annual South Orangetown Day a huge success.

Marisa Marrone and the South Orangetown Committee
(914)629-7508

RECEIVED

SEP 24 2019

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

Permit #
19-SP-46



September 4, 2019

Good Afternoon,

This letter is an additional request to the town board requesting aid for the 5th Annual South Orangetown Day.

We would like to add to the request the following:

- *Auxiliary Police to assist in deterring traffic from the one way road from 11am-6pm
- *The use of the light tower stationed at OPD

Both requested have been brought to Sgt. Palazolo's attention

Also the Electric message board can be placed on 303 where it was for the Italian Feast instead of in front of the Town Hall. The message can read:

South Orangetown day
Saturday, Oct.19th
11 am-8pm
The Manse Barn Tappan

Please let me know if there is anything further you need.

Thank you for your support in making the 5th Annual South Orangetown Day a huge success.

Marisa Marrone and the South Orangetown Committee
(914)629-7508

JAMES J. DEAN
Superintendent of Highways
Roadmaster II

RECEIVED

SEP - 9 2019



**HIGHWAY DEPARTMENT
TOWN OF ORANGETOWN**

119 Route 303 • Orangeburg, NY 10962
(845) 359-6500 • Fax (845) 359-6062
E-mail - highwaydept@orangetown.com

Orangetown Representative
R.C. Soil & Water Conservation Dist. Chairman
Member:
American Public Works Association NY Metro Chapter
NYS Association of Town Superintendents of Highways
Hwy. Superintendents' Association of Rockland County

KSE
ROAD CLOSING PERMIT APPLICATION
Section 139 Highway Law

NAME Team KT DATE 9/4/19

COMPANY P.O. Box 1722 Pearl River

ADDRESS →

TELEPHONE 917 514 2311 (Michael Bosco)
(INCLUDE 24 HOUR EMERGENCY NUMBERS)

ABOVE MENTIONED PARTY REQUESTS PERMISSION TO CLOSE:

Oldart Drive, Orangeburg Road, Mapleshade Rd, Nauracava Rd, Gilbert Ave
(Address number and name of road)

All of the above intersect
(Intersecting streets and/or description of exact location)

REASON FOR CLOSING SK Race

DATE OF CLOSING Oct 13 2019 RAIN DATE NONE

TIME ROAD WILL BE CLOSED 9 AM

WILL ROAD BE OPEN TO LOCAL TRAFFIC? yes

WILL ROAD BE OPEN TO EMERGENCY VEHICLES? yes

PLEASE PROVIDE A DETAILED MAP AND DESCRIPTION OF DETOUR IF TRAVEL WILL BE RESTRICTED.

PRELIMINARY APPROVAL *James J. Dean* DATE 9.12.19
JAMES J. DEAN
SUPERINTENDENT OF HIGHWAYS

This permit application will be forwarded to the Rockland County Superintendent of Highways, County of Rockland, 23 New Hempstead Road, New City, NY, 10956. You will receive written confirmation from that office.

8-13-02bjd

HAMLETS: PEARL RIVER · BLAUVELT · ORANGETOWN · TAPPAN · SPARKILL · PALISADES · UPPER GRANDVIEW



CLEAN STREETS=CLEAN STREAMS

19-SP 45

RECEIVED

SEP 12 2019

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

September 10, 2019

TO: Orangetown Town Board

From: Michael Bosco

RE: Team KJ 5K Run and Walk on October 13, 2019

We are hereby requesting the use of the following items from the Orangetown Highway Department. Please put items on the next Town Board Agenda's meeting:

- 20 weighted barricades
- 50 cones
- 100' crowd control barrels
- 20 barricades

If you have any questions or concerns, please call me at 917-514-2311.

Thank you

Sincerely yours,

Michael Bosco

Rockland County

Ed Day, Rockland County Executive

RECEIVED

SEP 16 2019

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

HIGHWAY DEPARTMENT

23 New Hempstead Road
New City, New York 10956
Phone: (845) 638-5060 Fax: (845) 638-5037
Email: highway@co.rockland.ny.us

Charles H. "Skip" Vezzetti
Superintendent of Highways

PERMIT AND NOTICE TO *Use* A ROAD

To the Town Clerk of *Orangetown* in Rockland County:

This is to certify that the Superintendent of Highways of Rockland County has been requested by

TEAM KJ (Mike Bosco)

To *Use* a section of Highway in the Town of *Orangetown* Rockland County, known as
GILBERT AVENUE FROM OLDERT DRIVE TO SICKLETOWN ROAD. IN P.R.

The portion of highway will be *Used* under Highway Law on 10/13/19, SUNDAY


For the purpose of SK ROAD RIN FOR HUNTINTONS DISEASE

This activity can not be properly conducted unless the portion described above is *Used* during the time such activity is in progress.

To the Town Highway Superintendent of *Orangetown* in Rockland County:

A certificate of which the foregoing is a copy having been executed by me under the authority conferred by Section 104 of the Highway Law and filed in the office of the Town Clerk in *Orangetown* on the 12th Day of September 2019, you are hereby notified that I have authorized the *Use* of the above described section of highway. The applicant must provide a detour for traffic during the time the road is *Used* and notify police, fire, ambulance, school districts and public transportation prior to *Using* of the roadway. The applicant must provide the necessary signs, barricades, lights, flagmen, etc. and make every effort to cooperate with the traveling public. Keep fire, police, ambulance, public transportation and school entities informed as to daily activities, concerning the *Use*

Dated this 12th September 2019



Rockland County Superintendent of Highways

Handwritten initials and date:
9/13/19

**TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM**

TO: THE TOWN BOARD
FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 09/26/2019
CC: DEPARTMENT HEADS



The audit for the Town Board Meeting of 10/01/19 consists of 2 warrants for a total of \$2,098,606.43.

The first warrant had 3 vouchers for \$24,393.67 and was for NYPA payment.

The second warrant had 164 vouchers for \$2,074,212.76 and had the following items of interest.

1. Corsi Tire (p11) - \$5,918 for replacement tires.
2. Crown Castle Fiber (p11) - \$6,470 for connectivity.
3. CSEA Employee benefit fund (p12) - \$30,641 for CSEA dental benefits.
4. D&E Uniforms (p13) - \$11,040 for Police Uniforms.
5. Dutra Excavating & Sewer (p14) - \$6,835 for Sewer repair (bonded).
6. Graphic Service Bureau (p20) - \$11,371 for printing school tax bill.
7. H2M (p21) - \$54,454 for Community Center Project.
8. Indus (p25) - \$136,821 for Highway equipment (bonded).
9. NY City Football Club (p33) - \$341,604 for Escrow refund.
10. NYS Dept. of Civil Service (p34) - \$757,399 for healthcare benefits.
11. Sprague Operating Resources (p43) - \$13,406 for fuel.
12. State Comptroller (p44) - \$33,726 for Justice Fines.
13. The Terre Co. of NJ (p46) - \$6,126 for athletic field paint.
14. Tilcon (p49) - \$33,766 for Highway materials.

Please feel free to contact me with any questions or comments. Thank you.

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