

*Section 1:* Chapter 43, Article II, § 2.1 of the Town Code, entitled "Establishment of districts" is amended to add the following new zoning district designation to the columns designated "Symbol" and "Title"

Symbol	Title
RPC-R	Rockland Psychiatric Center – Recreation

*Section 2:* The Zoning Map of the Town of Orangetown, established under Chapter 43, Article II, Section 2.2 of the Town Code, entitled "Zoning Map", is hereby amended to include within the boundaries of the new RPC-R zoning district the follow tax lots, as shown on the Tax Map of the Town of Orangetown, comprising, in the aggregate, 257.38 acres (more or less):

Sec. 73.12, Block 1, Lot 3;	Sec. 74.05, Block 1, Lot 1
Sec. 73.12, Block 1, Lot 5.1;	Sec. 73.12, Block 1, Lot 1

*Section 3:* Chapter 43, Article III, Section 3.11 of the Town Code, entitled "Use and Bulk Tables . . . Use Table", is amended to add a new General Use Table, to be known as the "Table of General Use Regulations, Section 3.1.1, RPC-R District" in the form annexed hereto.

*Section 4:* Chapter 43, Article III, Section 3.12 of the Town Code, entitled "Use and Bulk Tables . . . Bulk Table", is amended to add a series of new bulk regulations to the existing "Table of General Bulk Regulations, Section 3.12", applicable to the RPC-R District, in the form annexed hereto.

*Section 5:* This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State.

Town of Orangetown  
 Table of General Bulk Regulations  
 Section 3.12  
 RPC-R District

District	For Uses Listed Below	Maximum Floor Area Ratio	Minimum Lot Area	Minimum Lot Width (feet)	Minimum Street Frontage (feet)	Required Front Yard (feet)	Required Side Yard (feet)	Total Side Yards (feet)	Required Rear Yard (feet)	Max Bldg. Height
RPC-R	Commercial Recreation Facilities	0.4	5 ac	150	150	100*	**	100	***	50 ft. ****
<p>*Except for sites abutting roads that are internal within the RPC-R District, for which 25 feet may be permitted. For purposes of this Section, an internal road shall be any roadway that is not on the perimeter of the RPC site, i.e., Convent Road, Veterans Memorial Highway and the Palisades Interstate Parkway are not internal roads.</p> <p>**20 plus the equivalent height of the wall of the adjacent building in order to ensure appropriate fire department safety requirements, subject to fire department approval.</p> <p>***25 plus the equivalent height of the wall of the adjacent building in order to ensure appropriate fire department safety requirements, subject to fire department approval.</p> <p>****For purposes of the section, building height shall be measured from the average finished grade to the maximum point of any roof line.</p>										

Town of Orangetown  
Table of General Use Regulations  
Section 3.11  
RPC-R District

District	Use Permitted by Right	Uses Permitted by Special Permit	Conditional Uses by Planning Board	Accessory Uses	Minimum Required Off-Street Parking		Additional Use Regulations
RPC-R	<p><b>1 Public and Not-for-Profit Active Recreation</b></p> <p>a) Public parks, playgrounds and athletic fields, tennis courts and other outdoor recreation facilities; indoor and outdoor swimming pools; boat rental and storage, trails for the use of pedestrians, bicycles and other non-motorized vehicles, miniature golf, meeting and game rooms and similar facilities as part of a public recreation center.</p> <p>b) Little League, soccer and other athletic fields administered by not-for-profit organizations.</p> <p>c) Golf courses</p> <p><b>2. Commercial Recreation</b>  Commercial recreation facilities, including indoor and outdoor athletic fields and courts, facilities for golf, tennis, swimming, boating, skating and other similar activities, but excluding outdoor paint ball, shooting galleries and similar outdoor activities.</p>	None.	None.	<p>1. Accessory Parking and Loading. A minimum of two (2) loading berths shall be provided for indoor commercial recreation facilities. The need for additional loading berths shall be determined by the Planning Board as part of site plan review and approval.</p> <p>2. Completely Enclosed Accessory Storage Buildings and Maintenance Sheds.</p> <p>3. Incidental sale of food and beverages, sporting goods, clothing and equipment and other similar products designed to support the proposed recreation uses, but not to exceed more than 12.5% of the total floor area of the principal building.</p> <p>4. Incidental video games, video game rooms and billiard rooms not to exceed an area of 3,000 s.f.</p>	<p><b>Use</b></p> <p>1a) Public Parks</p> <p>1b) Not-for-Profit Recreation</p> <p>1c) Golf Courses</p> <p><b>2. Commercial Recreation</b></p>	<p>1 space for each:</p> <p>1a) 4 persons of practical occupancy, as determined by the Planning Board based on the type of recreation facilities and likely patterns of usage.</p> <p>1b) 4 persons of practical occupancy, as determined by the Planning Board based on the type of recreation facilities and likely patterns of usage.</p> <p>1c) 1/3 Hole or 4 persons of practical occupancy, as determined by the Planning Board based on the type of recreation facilities and likely patterns of usage, whichever is greater.</p> <p>2. 400 s.f. of indoor space or 4 persons of practical occupancy, as determined by the Planning Board based on the type of recreation facilities and likely patterns of usage, whichever is greater.</p>	<p>1. Buildings in a RPC-R District shall be designed in such a manner that views from multiple vantage points, including surrounding roads, trails, open space areas and other uses are attractive. Parking and loading areas shall be landscaped to adequately buffer buildings, parking, and loading areas, with a landscape plan provided as part of site plan approval.</p> <p>2. Signs for commercial recreation buildings in the RPC-R District shall be limited to one wall sign per building, not exceeding a total area of 180 square feet and one free standing sign per building, not exceeding a total area of 50 square feet. Additional directional signage shall be permitted to facilitate movement of people and vehicles to and through the site. Each directional sign shall not exceed an area of six (6) square feet. All signs shall be of a coordinated design, subject to review and approval by the Planning Board and any other applicable land use board, when appropriate, as part of the site plan approval process. All other applicable requirements of Section 4.2 shall be met.</p> <p>3. Any lot abutting Lake Tappan shall provide a special setback with a minimum width of 100 feet perpendicular to and along the lake front, with development limited within said area to trailways constructed of pervious material and facilities directly related to potential boating and/or fishing on Lake Tappan (e.g., boat docks). A 100-foot buffer shall also be provided along County roads. Said buffer areas shall be part of required yards.</p>

District	Use Permitted by Right	Uses Permitted by Special Permit	Conditional Uses by Planning Board	Accessory Uses	Minimum Required Off-Street Parking	Additional
						<p>4. All private swimming pools must comply with the Orangetown swimming pool ordinance. Swimming pools shall also be subject to permits and approval by the Rockland County Department of Health.</p> <p>5. Notwithstanding other provisions of Chapter 7 of the Town Code, entitled Commercial Assembly Licenses, the operator of an indoor commercial recreation facility may request extended hours of operation for certain facilities such as ice hockey, with approval of such extended hours specially authorized by the Town Board.</p> <p>6. See Note 14: The maximum impervious coverage in the RPC-R shall not exceed seventy-five percent (75%), including buildings, parking, road and road widening. The open area shall be a minimum of twenty-five percent (25%).</p> <p>7. Note 16 from the use and bulk table shall apply to all RPC-R sites, requiring adjustments to site area for environmental constraints.</p> <p>8. Whenever appropriate, relative to specific recreation proposals, the Planning Board shall consider the use of shared parking and/or land banking to minimize the amount of impervious surface on RPC-R sites.</p>

District	Use Permitted by Right	Uses Permitted by Special Permit	Conditional Uses by Planning Board	Accessory Uses	Minimum Required Off-Street Parking		Additional Use Regulations
							<p>9. Lighting for buildings, parking areas and other facilities shall provide sufficient illumination for the convenience and safety of the users of proposed recreation facilities. As set forth in Section 4.27 of the Zoning Ordinance, lighting shall be appropriately shielded to avoid light from distracting motorists on abutting roads.</p> <p>10. Site plans for recreation facilities within the RPC-R District shall provide for trailways and pedestrian circulation systems, consistent with the overall development of the Rockland Psychiatric Center site.</p>

# EXHIBIT

~~6-A-04~~, 6/7/04

## EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Orangetown, in the

County of Rockland, New York

June 7, 2004

\* \* \*

A regular meeting of the Town Board of the Town of Orangetown, in the County of Rockland, New York, was held at the Town Hall, Orangeburg, New York, on June 7, 2004.

There were present: Thom Kleiner, Supervisor, and

Councilpersons:

Denis O'Donnell  
Denis Troy  
Marie Manning  
Thomas Morr

There were absent: None

Also present: Charlotte Madigan, Town Clerk

\* \* \*

Councilperson Troy offered the following resolution

and moved its adoption:

BOND RESOLUTION OF THE TOWN OF ORANGETOWN, NEW YORK, ADOPTED ON JUNE 9, 2003 AND AMENDED ON JUNE 7, 2004, AUTHORIZING THE CONSTRUCTION OF AN AQUATIC FACILITY & COMMUNITY CENTER, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$14,700,000, APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$14,700,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF ORANGETOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Orangetown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to construct an Aquatic Facility and Community Center, as further described in a plan prepared for the Town by Bargmann, Hendrie + Archetype, Inc., P.C., *et al.*, to include (as and where necessary): the construction of an approximately 35,000 square foot building; swimming pool construction; traffic signal and control device, and roadway, parking and sidewalk construction; all of the foregoing to include the original furnishings, equipment, machinery, apparatus and ancillary or related site and other work required in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof is \$14,700,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$14,700,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the

taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$14,700,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law?"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The facility to be constructed will be of "Class A" construction. Therefore, the period of probable usefulness applicable to the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 92 of the Law, is twenty (20) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal



and interest by general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution, as amended, is subject to permissive referendum.

\* \* \*

Section (B). The amendment of the bond resolution set forth in Section (A) of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or actions taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or actions taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section (C). The Town Clerk of said Town of Orangetown shall, within ten (10) days after the adoption of this resolution, cause to be published, in full, in "*The Journal News*," a newspaper having a general circulation within said Town for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF ORANGETOWN, NEW YORK

PLEASE TAKE NOTICE that on June 7, 2004, the Town Board of the Town of Orangetown, in the County of Rockland, New York, adopted a bond resolution amending the bond resolution adopted by said Town Board on June 9, 2003 which bond resolution as amended, is entitled:

“Bond Resolution of the Town of Orangetown, New York, adopted on June 9, 2003 and amended on June 7, 2004, authorizing the construction of an Aquatic Facility & Community Center, stating the estimated maximum cost thereof is \$14,700,000, appropriating said amount therefor, and authorizing the issuance of \$14,700,000 serial bonds of said Town to finance said appropriation.”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct an Aquatic Facility and Community Center, as further described in a plan prepared for the Town by Bargmann, Hendrie + Archetype, Inc., P.C., *et al.*; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$14,700,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$14,700,000 bonds to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$14,700,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is twenty (20) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, and the renewals thereof, and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: June 7, 2004

Charlotte Madigan  
Town Clerk

Section (D). Said bond resolution, as herein amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution, as amended, and requesting that it be submitted to the electors of said Town for their approval or disapproval is filed and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted June 9, 2003 shall not be in any way affected and shall remain in full force and effect.

Section (E). After said bond resolution, as herein amended, shall take effect, the Town Clerk is hereby authorized to cause said bond resolution as herein amended, to be published, in summary, in the newspaper hereinabove referred to in Section (C) hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section (F). This resolution shall take effect immediately.

\* \* \*

The adoption of the foregoing resolution was seconded by Councilman  
O'Donnell and

duly put to a vote on roll call, which resulted as follows:

AYES: Councilpersons Troy, O'Donnell, Manning, Morr  
Supervisor Kleiner

NOES: None

The resolution was declared adopted.

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CERTIFICATE

*Terresa Sebastian*

I, ~~CHARLOTTE MADIGAN~~, Town Clerk of the Town of Orangetown, in the

County of Rockland, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Orangetown duly called and held on June 7, 2004, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Orangetown this 12th day of July, 2004.

(SEAL)

*Terresa Sebastian*

Town Clerk - Deputy