

**TOWN OF ORANGETOWN
REGULAR TOWN BOARD MEETING
TUESDAY, OCTOBER 23, 2018**

This Regular Town Board Meeting was opened at 7:30 p.m. Supervisor Day presided and Rosanna Sfraga, Town Clerk, called the roll.

Present were: Supervisor Chris Day
Councilman Thomas Diviny
Councilman Paul Valentine
Councilman Jerry Bottari

Absent: Councilman Denis Troy

Also present were: Amanda Hyland, Supervisor's Confidential Assistant
Rosanna Sfraga, Town Clerk
Robert Magrino, Deputy Town Attorney
Teresa Kenny, Deputy Town Attorney
Jeff Bencik, Finance Director
James Dean, Superintendent of Highways
Jane Slavin, Director of OBZPAE
Eamon Reilly, Commissioner of DEMA
Aric Gorton, Superintendent of Parks, Recreation & Building Maint

Pledge of Allegiance to the Flag of the United States of America: Michael Mandel

Summary of Public Comments (RTBM):

Mike Mandel, Pearl River, suggested a six-month trial period for the EV Charging spaces to be always open for Electric vehicles. Tax Cert Settlement Resolutions should always include the name of the School District.

Carol Baxter and Milbree Polk, Palisades, spoke about Traffic issues on Route 9W. She requested the speed limit be 35 mph along the entire stretch.

Esta Baitler, Sparkill, resents the Town Board poking fun of her. She wants the Town Board to contact O & R regarding the lights outside of Camp Venture.

Denise Hogan, Coordinator for Against Tobacco, wishes to make Cortwood Village smoke-free. She would like contact information for the Board at Cortwood Village.

Robert Tompkins, Pearl River, hopes the grant the Town received includes new traffic light poles. He is in favor digitalizing Town records.

Mr. Finn, Orangeburg, said there is a tree destroying his driveway and he wants the Highway Department to cut it down.

RESOLUTION NO. 610

CLOSE PUBLIC COMMENTS

Councilman Valentine offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that the public comments portion is hereby closed.

Ayes: Councilpersons Valentine, Diviny, Bottari
Supervisor Day

Noes: None

Absent: Councilman Troy

RESOLUTION NO. 611

**CONTINUE PH / ZONE CHANGE /
"LO" to "OP" / HNA PALISADES
PREMIER CONFERENCE CENTER -
334 ROUTE 9W, PALISADES, NY
78.13-1-1**

Councilman Bottari offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLUTION NO. 611 - Continued

RESOLVED, this public hearing is hereby continued.

Ayes: Councilpersons Bottari, Valentine, Diviny
Supervisor Day
Noes: None
Absent: Councilman Troy

Rosanna Sfraga, Town Clerk presented the Affidavit of Publication, the Notice of Posting and Comments from outside agencies (Exhibit 10-B-18).

Summary of Public Comments:

Lino Sciarretta, Attorney for Petitioner, explained this property is currently in a Laboratory Office (LO) district and it operates under a Special Permit. The property has been used for many years as an executive conference center, a training facility, catered affairs, overnight stays, and corporate team building events.

Carol Baxter, Loren Platkin, Paul George and several other Palisades residents, have some concerns changing this to an "OP" zone: convenience shops, the FAR's, future development, changing the character of the neighborhood and possible future subdivisions. They are okay with a sundry shop in the hotel and they are in favor of the restrictive convenient as long as it goes with the Land

RESOLUTION NO. 612

**CLOSE PH / ZONE CHANGE / "LO" to
"OP" / HNA PALISADES PREMIER
CONFERENCE CENTER - 334 ROUTE
9W, PALISADES, NY / 78.13-1-1**

Councilman Valentine offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, this public hearing is hereby closed.

Ayes: Councilpersons Valentine, Bottari, Diviny
Supervisor Day
Noes: None
Absent: Councilman Troy

The Town Board had a lengthy discussion regarding restricting possible future development of this property.

RESOLUTION NO. 613

**LEAD AGENCY / NEGATIVE
DECLARATION / ZONE CHANGE
"LO" to "OP" / HNA PALISADES
PREMIER CONFERENCE CENTER 334
ROUTE 9W, PALISADES, NY 78.13-1-1**

Councilman Valentine offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

WHEREAS, the Town Board has considered the adoption of an amendment to Chapter 43, § 2.2, of the Town Code, establishing the Town Zoning Map, to change the zoning classification of the parcel known as 334 Route 9W in the hamlet of Palisades, tax lot 78.13-1-1 from "Laboratory Office" or LO" to "Office Park" or "OP", and

WHEREAS, on or about, pursuant to Town Board Resolution 2018-459 the Town Board circulated among various potential interested agencies notice of its intention to assume Lead Agency status for the purpose of the environmental review of the above referenced action; and

WHEREAS, the Town Planning Board on July 25, 2018 having indicated it had no objection to the Town Board serving as lead agency, the Town Board hereby assumes the role of Lead Agency for environmental review; and

RESOLUTION NO. 613 – Continued

WHEREAS, acting in its capacity as Lead Agency for environmental review, and after taking a "hard look" at all of the potential environmental impacts that might result from the proposed action, the Town Board has concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed change in the zoning classification of the three parcels affected by the proposed Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts the Negative Declaration annexed hereto, and authorizes the Town Supervisor or his designated agent to execute the Environmental Assessment Form and to take such other and further steps as may be necessary to discharge the Town Board's responsibilities as Lead Agency.

Ayes: Councilpersons Valentine, Bottari, Diviny
Supervisor Day
Noes: None
Absent: Councilman Troy

**TOWN OF ORANGETOWN, ROCKLAND COUNTY ZONING
TEXT AMENDMENT**

**STATE ENVIRONMENTAL AUALITY REVIEW (SEQR)
NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

DATE: September 4, 2018

LEAD AGENCY: The Town Board of the Town of Orangetown
Orangetown Town Hall
26 Orangeburg Road
Orangeburg NY 10962

This Notice is issued pursuant to Part 617 of the implementing regulations of Article 8 (SEQRA) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant effect on the environment.

TITLE OF ACTION

Amending the Town Zoning Law, and Zoning Map, to change the zoning classification of the parcel known as 334 Route 9W in the hamlet of Palisades tax lot 78.13-1-1 from "LO" to "OP".

SEQRA STATUS: Unlisted Action

DESCRIPTION OF ACTION:

The proposed action consists of a change to the zoning classification of the entire parcel known as 334 Route 9W in the hamlet of Palisades, tax lot 78.13-1-1 from "LO" to "OP".

DETERMINATION:

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 is currently occupied by a large scale conference center, as permitted pursuant to special

SEQRA – Continued

permit in the LO zone. By changing the zoning classification of the parcel to OP, the conference center may include services as a hotel.

The change is consistent with the existing and proposed use of the existing lot; is consistent with the Town's Master Plan; 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 only appreciable difference between the two zones is that a hotel is permitted in an OP district as of right. Conference centers are permitted in both LO and OP zones.

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

In summary, after having taken a hard look at the potential environmental impacts associated with the proposed action, the Town Board concludes that such action will not result in a significant adverse environmental impact.

RESOLUTION NO. 614

**ADOPT LOCAL LAW NO. 14 OF 2018,
ZONE CHANGE / "LO" to "OP" / HNA
PALISADES PREMIER CONFERENCE
CENTER – 334 ROUTE 9W,
PALISADES, NY / 78.13-1-1**

Councilman Valentine offered the following resolution, which was seconded by Supervisor Day and on a roll call was adopted:

WHEREAS, the Town Board of the Town of Orangetown (the "Town Board") is the duly elected legislative body of the Town, authorized to adopt zoning text amendments to the Town's Zoning Law; and

WHEREAS, the Town Board has considered the adoption of an amendment to Chapter 43, § 2.2 to change the zoning district of the parcel known as 334 Route 9W in the hamlet of Palisades, tax lot 78.13-1-1 being located in the "LO" (Laboratory Office) zoning district, to change the zoning classification of the property to that of "OP" (Office Park); and

RESOLUTION NO. 614 – Continued

WHEREAS, by Resolution No. 613 of 2018, after notice duly given, and there being no other involved agency, by resolution duly adopted this 23rd day of October, 2018, the Town Board assumed the role of Lead Agency under SEQRA for environmental review, and, acting in its capacity as such, concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed change in the Town's Zoning Law and determined the issuance of Negative Declaration is appropriate; and

WHEREAS, following due notice, a public hearing was conducted on the proposed zone change amendment; and

WHEREAS, the Board has concluded that the proposed zone change which changes the zoning classification of the subject parcel to a zoning district which permits a hotel use and conference centers as of right, from a zone that only permits conference centers as of right, is consistent with the Town's Master Plan, and otherwise is in the best interests of the Town and the owner of the parcel, who has requested the change of zoning classification; and

WHEREAS, 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 each reviewed the proposed law; and

WHEREAS, the Town Planning Board, by Memorandum, dated July 25, 2018, following due consideration at a public meeting held on the same date, has indicated that it does not object to the Town Board serving as Lead Agency on the matter and indicating it viewed the proposed zone change favorably; and

WHEREAS, the Town Board finds that amending the zoning classification of this property will not have a significant impact on traffic or emergency services in the area given the current permitted use on the property, and

WHEREAS, the public having expressed concerns related to the potential bulk differences between the current and proposed zone, as well as general accessory uses, and

WHEREAS, the County Department of Planning, by letter review dated August 23, 2018 has recommended that the Town should do a comprehensive analysis to determine if three other adjacent parcels should remain LO or if OP or another zoning district is more appropriate; and

WHEREAS, the Town Board finds that at the current time, the parcels referenced would not be appropriate for a zone change at this time given the current uses and the issues related to the subject property, including but not limited to its current use as a conference center;

NOW, THEREFORE, BASED ON ALL OF THE INFORMATION BEFORE THE BOARD, AND THE FINDINGS MADE HEREIN, BE IT RESOLVED, that the Town Board hereby adopts the within Local Law, amending the Town Zoning Law, and the Town Zoning Map made a part of the Town Code at Chapter 43, § 2.2., and changes the zoning classification of the referenced parcel to "OP" (Office Park);

BE IT FURTHER RESOLVED, that as a condition of granting this change, the applicant has agreed to the following conditions, which shall be binding upon the applicant, its successors and assigns, and which must be incorporated in to a Restrictive Covenant to be recorded in the Rockland County Clerk's Office and filed in the Town Clerk's Office at the applicant's expense as further evidence of same:

- 1) The applicant/owner agrees that the Bulk Regulations as contained in Chapter 43, Section 3.12 Table of Bulk Regulations, as shown for the LO District, Group W, and as may be amended, shall apply for any use as a Hotel/Conference Center at the

RESOLUTION NO. 614 – Continued

subject property and for any other uses, the bulk regulations as applicable for LIO, as same may be amended, shall apply.

- 2) The applicant/owner agrees that Incidental convenience shops, as permitted in the “OP” zone shall mean non-free standing sundry shops, shall be permitted in this hotel.

Ayes: Councilperson Valentine, Supervisor Day
Councilperson Bottari
Noes: Councilperson Diviny
Absent: Councilman Troy

**LOCAL LAW NO. 14 OF 2018 OF THE
INCORPORATED TOWN OF ORANGETOWN, NEW YORK
TOWN BOARD TO CHANGE THE ZONE OF PROPERTY LOCATED AT 334 ROUTE
9W, PALISADES, NY (Tax Lot 78.13-1-1)**

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

Section 1: The Zoning Map of the Town of Orangetown, which establishes the areas and boundaries of the various Town zoning districts, is hereby amended to change the zoning district of the following property:

334 Route 9W, Palisades, New York (Tax Map Designation 78.13-1-1) from the “LO” (Laboratory Office) zoning district to the “OP” (Office Park) zoning district, which metes and bounds description is as follows:

Section 2: The following conditions are made a part of this Local Law for the subject property only:

- 1) The Bulk Regulations as contained in Chapter 43, Section 3.12 Table of Bulk Regulations, as shown for the LO District, Group W, and as may be amended, shall apply for any use as a Hotel/Conference Center at the subject property and for any other uses, the bulk regulations as applicable for LIO, as same may be amended, shall apply.
- 2) “Incidental convenience shops and services” as set forth in Chapter 43, Section 3.11 of the Table of General Use Regulation for the OP District, Column 5, shall mean internal sundry and service shops, non-free-standing, intended for use by guests and employees.
- 3) The property owner must file a restrictive covenant with the Rockland County Clerk acknowledging these conditions.

Section 3. 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 law shall take effect immediately upon filing with the Secretary of State.

Legal Description

ALL that certain piece or parcel of property situate, lying and being located in the Town of Orangetown, County of Rockland, State of New York and being more particularly bounded and described as follows:

PARCEL I:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE TOWN OF ORANGETOWN, COUNTY OF ROCKLAND, AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY CORNER OF THE PREMISES HEREIN DESCRIBED, SAID POINT ALSO BEING AT THE INTERSECTION OF THE SOUTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF KNIGHT AT THE WESTERLY SIDE OF NEW YORK STATE ROUTE 9W;

RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG THE SAID

WESTERLY SIDE OF NEW YORK STATE ROUTE 9W, SOUTH 12° 14' 30" EAST FOR A DISTANCE OF 565.92 FEET TO A POINT AT THE NORTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF CORNETTA;

THENCE ALONG LANDS NOW OR FORMERLY OF CORNETTA THE FOLLOWING COURSES AND DISTANCES:

SOUTH 73° 29' 36" WEST, 237.55 FEET;

SOUTH 16° 25'38" EAST, 2.50 FEET;

SOUTH 73° 29' 36" WEST, 69.29 FEET TO A POINT ON THE NORTHERLY LINE OF LANDS NOW OR FORMERLY OF RAIMONDO;

THENCE ALONG SAID LANDS OF RAIMONDO, SOUTH 73° 29' 36" WEST FOR A DISTANCE OF 702.39 FEET TO A POINT ON THE EASTERLY LINE OF LANDS NOW OR FORMERLY OF COLLINS;

THENCE ALONG SAID LANDS OF COLLINS, NORTH 3° 30' 59" WEST FOR A DISTANCE OF 744.67 FEET TO A PIPE ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF THE ROCKLAND COUNTRY CLUB;

THENCE ALONG SAID LANDS NORTH 70° 03' 14" EAST FOR A DISTANCE OF 621.03 FEET TO A POINT ON THE WESTERLY LINE OF LANDS NOW OR FORMERLY OF KNIGHT;

THENCE ALONG SAID LANDS OF KNIGHT THE FOLLOWING COURSES AND DISTANCES:

SOUTH 9° 33' 50" EAST, 215.88 FEET;

NORTH 69° 53' 16" EAST, 290.69 FEET TO THE POINT AND PLACE OF BEGINNING.

PARCEL II:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE TOWN OF ORANGETOWN, COUNTY OF ROCKLAND AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY CORNER OF THE PREMISES HEREIN DESCRIBED, SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF BONANNO AND ON THE WESTERLY SIDE OF NEW YORK STATE ROUTE 9W;

RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG SAID WESTERLY SIDE OF ROUTE 9W, SOUTH 12° 16' 20" EAST FOR A DISTANCE OF 281.25 FEET TO A POINT BEING THE NORTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF RAIMONDO;

THENCE ALONG SAID LANDS OF RAIMONDO, THE FOLLOWING COURSES AND

Legal Description - Continued

DISTANCES:

1. SOUTH 79° 56'36" WEST 308.98 FEET;
NORTH 11° 35' 04" WEST 244.17 FEET TO A POINT ON THE SOUTHERLY LINE OF
LANDS NOW OR FORMERLY OF BONANNO;
THENCE ALONG SAID SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF
BONANNO, THE FOLLOWING COURSES AND DISTANCES:
1. NORTH 73° 29'36" EAST 69.29 FEET;
2. NORTH 16° 25'38" WEST 2.50 FEET;
3. NORTH 73° 29' 36" EAST 237.55 FEET TO THE POINT AND PLACE OF BEGINNING.

PARCEL III:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND
BEING IN THE TOWN OF ORANGETOWN, COUNTY OF ROCKLAND AND STATE OF
NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY CORNER OF THE PREMISES
HEREIN DESCRIBED, SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF
LANDS NOW OR FORMERLY OF THE JOHN M. PERRY POST NO. 1044 OF THE
AMERICAN LEGION WHERE IT IS INTERSECTED BY THE EASTERLY LINE OF THE
PALISADES INTERSTATE PARK COMMISSION;

RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG THE SOUTHERLY
LINE OF SAID LANDS OF THE JOHN M. PERRY POST NO. 1044 OF THE AMERICAN
LEGION, NORTH 76° 14' 06" EAST FOR A DISTANCE OF 192.40 FEET TO AN IRON
PIPE AND LANDS OF THE ROCKLAND COUNTRY CLUB;

THENCE TURNING AND RUNNING ALONG SAID LAND NOW OR FORMERLY OF
THE ROCKLAND COUNTRY CLUB, THE FOLLOWING COURSES AND DISTANCES:

1. SOUTH 19° 06' 07" EAST 24.01 FEET TO AN IRON PIPE;
2. NORTH 73° 41'16" EAST 1,169.27. FEET;
3. NORTH 74° 48* 15" EAST 700.01 FEET;
4. SOUTH 15° 46' 09" EAST 32.44 FEET TO THE MEAN CENTERLINE OF A STONE
WALL;

THENCE ALONG THE MEAN CENTERLINE OF SAID STONE WALL, THE
FOLLOWING COURSES AND DISTANCES:

5. SOUTH 14° 09'55" EAST 52.50 FEET;
6. SOUTH 15° 49'44" EAST 65.51 FEET TO. A POINT;

THENCE CONTINUING ALONG SAID LANDS OF THE ROCKLAND COUNTRY CLUB:

7. NORTH 70° 07' 33" EAST 538.97 FEET TO AN IRON PIPE ON THE
NORTHWESTERLY CORNER. OF LANDS NOW OR FORMERLY OF BONANNO;

THENCE ALONG THE WESTERLY LINE OF SAID LANDS OF BONANNO, SOUTH 3°
30' 59" EAST FOR A DISTANCE OF 744.67 FEET TO A POINT ON THE NORTHERLY
LINE OF LANDS NOW OR FORMERLY OF RAIMONDO;

THENCE TURNING AND RUNNING ALONG THE NORTHERLY AND WESTERLY LINE
OF LANDS OF RAIMONDO, THE FOLLOWING COURSES AND DISTANCES:

Legal Description - Continued

1. SOUTH 73° 22' 03" WEST 869.53 FEET TO A MONUMENT;
2. SOUTH 4° 03' 04" EAST 257.69 FEET TO A MONUMENT;
3. SOUTH 4° 05' 55" EAST 23.15 FEET TO A PIPE;
4. SOUTH 4° 34' 49" EAST 245.13 FEET TO A PIPE AT THE NORTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF ANDERSON;

THENCE ALONG SAID LANDS OF ANDERSON, SOUTH 4° 33' .50" EAST FOR A DISTANCE OF 122.38 FEET TO A POINT BEING THE NORTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF PALISADES PARKWAY GARDENS;

THENCE ALONG SAID PALISADES PARKWAY GARDENS, THE FOLLOWING COURSES AND DISTANCES:

1. SOUTH 88° 22' 51" WEST 523.70 FEET;
2. SOUTH 48° 57' .36" WEST 442.03 FEET TO A POINT ON THE NORTHEASTERLY SIDE OF THE PALISADES INTERSTATE PARK COMMISSION;

THENCE ALONG SAID PALISADES INTERSTATE PARK COMMISSION THE FOLLOWING:

1. ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5,329.00 FEET AND A LENGTH OF 723.49 FEET TO A MONUMENT;
2. THENCE SOUTH 87° 13' 17" EAST FOR A DISTANCE OF 56.22 FEET TO A MONUMENT;
3. THENCE NORTH 4° 40' 31" WEST FOR A DISTANCE 36.32 FEET TO A MONUMENT;
4. THENCE NORTH 87° 13' 17" WEST FOR A DISTANCE OF 84.28 FEET TO A MONUMENT;
5. THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5,329.00 FEET AND A LENGTH OF 473.02 FEET TO A MONUMENT;
6. THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4,891.00 FEET AND A LENGTH OF 232.93 FEET TO A MONUMENT;
7. THENCE NORTH 2° 13' 29" EAST FOR A DISTANCE OF 144.31 FEET TO A MONUMENT;
8. THENCE NORTH 7° 54' 59" WEST FOR A DISTANCE OF 90.25 FEET TO THE POINT AND PLACE OF BEGINNING.

PARCEL IV:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE TOWN OF ORANGETOWN, COUNTY OF ROCKLAND AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY SIDE OF NEW YORK STATE ROUTE 9W AT THE SOUTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF CORNETTA;

RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG SAID WESTERLY SIDE OF ROUTE 9W THE FOLLOWING COURSES AND DISTANCES:

- SOUTH 11° 43' 44" EAST, 49.61 FEET TO A MONUMENT;
- SOUTH 79° 56' 36" WEST, 6.00 FEET TO A PIPE;
- SOUTH 17° 18' 24" EAST, 200.00 FEET;

Legal Description - Continued

SOUTH 20° 16' 50" EAST, 118.36 FEET TO A PIPE AT THE NORTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF ANDERSON;

THENCE ALONG SAID LANDS OF ANDERSON, SOUTH 77° 14' 09" WEST, 1,973.90 FEET TO A PIPE ON THE EASTERLY LINE OF LANDS NOW OR FORMERLY OF COLLINS;

THENCE ALONG SAID LANDS OF COLLINS THE FOLLOWING COURSES AND DISTANCES:

NORTH 4° 34' 49" WEST, 245.13 FEET TO A PIPE;

NORTH 4° 05' 55" WEST, 23.15 FEET TO A MONUMENT,

NORTH 4° 03' 04" WEST, 257.69 FEET TO A MONUMENT;

NORTH 73° 22' 03" EAST, 869.53 FEET TO THE SOUTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF BONANNO;

THENCE ALONG THE SOUTHERLY LINE OF LANDS OF SAID BONANNO, NORTH 73° 29' 36" EAST FOR A DISTANCE OF 702.39 FEET TO A POINT BEING THE NORTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF CORNETTA;

THENCE ALONG THE WESTERLY AND SOUTHERLY LINE OF LANDS OF SAID CORNETTA THE FOLLOWING COURSES AND DISTANCES:

SOUTH 11° 35' 04" EAST, 244.17 FEET;

NORTH 79° 56' 36" EAST* 308.98 FEET TO THE POINT AND PLACE OF BEGINNING.

PARCEL V:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE TOWN OF ORANGETOWN, COUNTY OF ROCKLAND AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY CORNER OF THE PREMISES HEREIN DESCRIBED, SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF RAIMONDO, SAID POINT ALSO BEING 1,323.61 FEET AS MEASURED WESTERLY ALONG SAID SOUTHERLY LINE OF LANDS OF RAIMONDO FROM A PIPE AT THE WESTERLY SIDE OF NEW YORK STATE ROUTE 9W;

RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG OTHER LANDS NOW OR FORMERLY OF ANDERSON, SOUTH 12° 50' 04" EAST FOR A DISTANCE OF 323.22 FEET TO A POINT ON THE NORTHERLY LINE OF LANDS NOW OR FORMERLY OF BOWLING;

THENCE ALONG SAID LANDS OF BOWLING AND ALONG LANDS NOW OR FORMERLY OF EWING AND PARTIALLY ALONG THE MEAN CENTERLINE OF A STONE WALL THE FOLLOWING COURSES AND DISTANCES:

SOUTH 77° 09' 56" WEST, 173.94 FEET;

SOUTH 77° 16' 56" WEST, 523.30 FEET TO A PIPE AT THE NORTHWESTERLY CORNER OF LANDS OF SAID EWING AND THE EASTERLY LINE OF LANDS NOW OR FORMERLY OF PALISADES PARKWAY GARDENS;

THENCE ALONG SAID LANDS OF PALISADES PARKWAY GARDENS* NORTH 4° 33' 50" WEST FOR A DISTANCE OF 203.97 FEET TO A POINT BEING THE SOUTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF COLLINS;

THENCE ALONG SAID LANDS OF COLLINS, NORTH 4° 33' 50" WEST FOR A

Legal Description - Continued

DISTANCE OF 122.38 FEET TO A PIPE AT THE SOUTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF RAIMONDO;

THENCE ALONG SAID LANDS OF RAIMONDO, NORTH 77° 14' 09" EAST FOR A DISTANCE OF 650.29 FEET TO THE POINT AND PLACE OF BEGINNING.

PERIMETER DESCRIPTION:

ALL THAT CERTAIN PIECE OR PARCEL OF PROPERTY SITUATE, LYING AND BEING LOCATED IN THE TOWN OF ORANGETOWN, COUNTY OF ROCKLAND, STATE OF NEW YORK AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FORMED BY THE DIVISION LINE BETWEEN PROPERTY NOW OR FORMERLY ANDERSON, THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PROPERTY AND THE WESTERLY SIDE OF NEW YORK STATE ROUTE NO. 9W, (S.H. 8250), AKA HIGHLAND AVENUE, AS WIDENED, SAID POINT BEING THE SOUTHWEST CORNER OF "NEW YORK STATE DEPARTMENT OF TRANSPORTATION ACQUISITION MAP NO. 46, PARCEL 54";

THENCE FROM SAID POINT OF BEGINNING ALONG SAID PROPERTY OF ANDERSON, SOUTH 77° 14' 09" WEST, A DISTANCE OF 1,319.67 FEET TO A MONUMENT;

THENCE SOUTH 12° 50' 04" EAST, A DISTANCE OF 323.22 FEET TO A STONE WALL AND PROPERTY NOW OR FORMERLY DOWLING;

THENCE ALONG SAID PROPERTY NOW OR FORMERLY DOWLING AND GENERALLY ALONG A STONE WALL, SOUTH 77° 09' 56" WEST, A DISTANCE OF 173.94 FEET TO A MONUMENT;

THENCE ALONG PROPERTY NOW OR FORMERLY EWING AND GENERALLY ALONG A STONE WALL, SOUTH 77° 16' 56" WEST, A DISTANCE OF 523.30 FEET TO A MONUMENT;

THENCE NORTHERLY, WESTERLY AND SOUTHWESTERLY ALONG PROPERTY NOW OR FORMERLY PALISADES PARKWAY GARDENS THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. NORTH 04° 33' 50" WEST, A DISTANCE OF 203.97 FEET TO A MONUMENT;
2. SOUTH 88° 22' 51" WEST, A DISTANCE OF 523.70 FEET TO A MONUMENT;
3. SOUTH 48° 57' 36" WEST, A DISTANCE OF 442.03 FEET TO A MONUMENT AND THE NORTHEASTERLY SIDE OF THE PALISADES INTERSTATE PARK COMMISSION; THENCE NORTHWESTERLY ALONG THE AFORESAID PALISADES INTERSTATE PARK COMMISSION THE FOLLOWING SIX (6) COURSES AND DISTANCES:
 1. A DISTANCE OF 723.49 FEET ALONG A NON TANGENT CURVE TO THE LEFT OF WHICH THE RADIUS POINT LIES SOUTH 58° 28' 32" WEST A RADIUS OF 5,329.00 FEET, AND HAVING A CENTRAL ANGLE OF 07° 46' 40" TO A MONUMENT;
 2. THENCE SOUTH 87° 13' 17" EAST, DISTANCE OF 56.22 FEET TO A POINT;
 3. THENCE NORTH 04° 40' 31" WEST, A DISTANCE OF 36.32 FEET TO A MONUMENT;
 4. THENCE NORTH 87° 13' 17" WEST, A DISTANCE OF 84.28 FEET TO A MONUMENT;

Legal Description - Continued

5. THENCE NORTHWESTERLY, A DISTANCE OF 473.02 FEET ALONG A NON TANGENT CURVE TO THE LEFT OF WHICH THE RADIUS POINT LIES SOUTH 50° 10' 27" WEST A RADIUS OF 5,329.00 FEET, AND HAVING A CENTRAL ANGLE OF 05° 05' 09" TO A MONUMENT;

6. THENCE NORTHWESTERLY, A DISTANCE OF 232.93 FEET ALONG A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 4,891.00 FEET AND A CENTRAL ANGLE OF 02° 43' 43" TO A MONUMENT ON THE EASTERLY SIDE OF NEW YORK STATE ROUTE NO. 340, (AKA CARTERET ROAD);

THENCE ALONG SAID EASTERLY SIDE OF NEW YORK STATE ROUTE NO, 340, (AKA CARTERET ROAD), NORTH 02° 13' 29" EAST, A DISTANCE OF 144.31 FEET; AND

THENCE NORTH 07° 54' 59" WEST, A DISTANCE OF 90.25 FEET TO A REBAR SET ON THE SOUTHERLY SIDE OF PROPERTY NOW OR FORMERLY JOHN M. PERRY POST #1044 OF THE AMERICAN LEGION;

THENCE ALONG SAID DIVISION LINE, NORTH 76° 14' 06" EAST, A DISTANCE OF 192.40 FEET TO A MONUMENT;

THENCE SOUTH 19° 06' 07" EAST, A DISTANCE OF 24.01 FEET TO A MONUMENT;

THENCE ALONG SAID PROPERTY* NOW OR FORMERLY JOHN M. PERRY POST #1044 OF THE AMERICAN LEGION AND PROPERTY NOW OR FORMERLY ROCKLAND COUNTY CLUB, NORTH 73° 41' 16" EAST, A DISTANCE OF 1,169.27 FEET TO A MONUMENT;

THENCE NORTH 74° 48' 15" EAST, A DISTANCE OF 700.01 FEET TO A MONUMENT;

THENCE ALONG THE MEAN CENTERLINE OF A STONE WALL THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. SOUTH 15° 46' 09" EAST, A DISTANCE OF 32.44 FEET TO A MONUMENT;

2. SOUTH 14° 09' 55" EAST, A DISTANCE OF 52.50 FEET TO A MONUMENT;

3. SOUTH 15° 49' 44" EAST, A DISTANCE OF 65.51 FEET TO A MONUMENT;
THENCE CONTINUING ALONG SAID PROPERTY NOW OR FORMERLY ROCKLAND CLUB, NORTH 70° 07' 33" EAST, A DISTANCE OF 538.97 FEET TO A MONUMENT;

THENCE NORTH 70° 03' 14" EAST, A DISTANCE OF 621.03 FEET TO A MONUMENT;

THENCE ALONG SAID PROPERTY NOW OR FORMERLY OF KNIGHT, SOUTH 09° 33' 50" EAST, A DISTANCE OF 215.88 FEET TO A MONUMENT;

THENCE NORTH 69° 53' 16" EAST, A DISTANCE OF 286.76 FEET TO THE NORTHWEST CORNER OF "OUT PARCEL TO BE DEDICATED TO THE PEOPLE OF THE STATE OF NEW YORK";

THENCE ALONG SAID WESTERLY SIDE OF "OUT PARCEL TO BE DEDICATED TO THE PEOPLE OF THE STATE OF NEW YORK", SOUTH 10° 33' 26"- EAST, A DISTANCE OF 453.91 FEET;

THENCE SOUTH 49°15'43" EAST, A DISTANCE OF 5.73 FEET TO THE NORTHWEST CORNER OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION ACQUISITION PARCEL 54, MAP NO. 46;

THENCE ALONG THE WESTERLY SIDE OF PARCEL 54 AS SHOWN ON NEW YORK STATE DEPARTMENT OF TRANSPORTATION ACQUISITION MAP NO. 46 THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

1. SOUTH 11° 03' 39" EAST, A DISTANCE OF 195.00 FEET;

2. SOUTH 15° 42' 40" EAST, A DISTANCE OF 108.07 FEET;

Legal Description – Continued

- 3. SOUTH 12° 06' 09" EAST, A DISTANCE OF 41.00 FEET;
- 4. SOUTHERLY, A DISTANCE OF 120.85 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2,909.00 FEET AND A CENTRAL ANGLE OF 02° 22' 49";
- 5. SOUTHERLY, A DISTANCE OF 291.68 FEET ALONG A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 1,949.00 FEET AND A CENTRAL ANGLE OF 08° 34' 29" TO THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PROPERTY, THE POINT AND PLACE OF BEGINNING.

RESOLUTION NO. 615

**OPEN PH / WATERCOURSE
DIVERSION PERMIT / 27 SUNRISE
LANE, PEARL RIVER / 69.18-3-43.2**

Councilman Valentine offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, the public hearing pursuant to Town of Orangetown Town Code Chapter 41 to consider the Watercourse Diversion application from Lino J. Sciarretta, Esq., counsel for the property owner of 27 Sunrise Lane, Pearl River, New York, Section 69.18, Block 3, Lot 43.2, for a watercourse diversion permit, is hereby opened.

Ayes: Councilpersons Valentine, Bottari, Diviny
Supervisor Day
Noes: None
Absent: Councilman Troy

Rosanna Sfraga, Town Clerk presented the Affidavit of Publication, the Notice of Posting and Comments from outside agencies (Exhibit 10-C-18).

Summary of Public Comments:

Lino Sciarretta, Attorney for Petitioner, this site has an existing 24-inch storm water pipe which has to be moved in order for the proposed single-family residence to be constructed. The owner is proposing to install a new 36-inch drainage pipe, running approximately 92-feet into a RIPRAP outlet protection, more than 15-feet away from the proposed residence. Patricia Altomare, Pearl River, asked, Who is going to maintain the new pipes and the many storm drains.

RESOLUTION NO. 616

**CLOSE PH / WATERCOURSE
DIVERSION PERMIT / 27 SUNRISE
LANE, PEARL RIVER / 69.18-3-43.2**

Councilman Valentine offered the following resolution, which was seconded by Councilman Bottari and was unanimously adopted:

RESOLVED, that the public hearing to consider the Watercourse Diversion application from Lino J. Sciarretta, Esq., counsel for the property owner of 27 Sunrise Lane, Pearl River, New York, Section 69.18, Block 3, Lot 43.2 for a watercourse diversion permit, is hereby closed.

Ayes: Councilpersons Valentine, Bottari, Diviny
Supervisor Day
Noes: None
Absent: Councilman Troy

RESOLUTION NO. 617

**APPROVE / WATERCOURSE
DIVERSION PERMIT / 27 SUNRISE
LANE, PEARL RIVER / 69.18-3-43.2**

Councilman Bottari offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted: