Name of Municipality: <u>TOWN OF ORANGETOW</u>	N Date Submitted:
2021 000 0 000 000 000	
, Please check all ti	hat apply:
Planning Board Poning Board Zoning Board of Appeals	Residential Historical Board Architectural Board
Subdivision Number of Lots Site Plan Conditional Use	Consultation Pre-Preliminary/Sketch Preliminary Final Interpretation
Special Permit  Variance Performance Standards Review Use Variance Other (specify):	PERMIT#: ASSIGNED INSPECTOR:
	Referred from Planning Board: YES / NO If yes provide date of Planning Board meeting:
Project Name: Orangetown Commerce Center	
Street Address: 5 Greenbush Road, Orangetown	
Tax Map Designation:  Section: 74.15 Block: Block: Directional Location:	1 Lot(s): 2 Lot(s):
On theside ofside_	
feet_at itsef the intersection	, approximately n of with Highview Avenue in the
Fown of <u>ORANGETOWN</u> in the hamlet/village of Ora	angeburg
Acreage of Parcel 5.836 School District South Orangetown	Zoning District LI
Ambulance District South Orangetown	Postal District Orangeburg  Fire District Orangeburg Fire
Water District Pearl River	Sewer District Orangetown
Project Description: (If additional space required, ple The Applicant is seeking reapproval of two previously granted varia	ase attach a narrative summary.)
#20-10 (for sign size, illumination and location) and #20-11 (for bui	lding height along Highview Avenue).
he undersigned agrees to an extension of the statutory time I	imit for scheduling a public hearing
Date: Applicant's Signature:	<b>5</b> 1 <b>5</b>

### APPLICATION REVIEW FORM

Applicant:  C/O RD Management  810 Seventh Avenue, 10th Floor	Pho	ne # <sub>.</sub> (914) 265-6600	
c/o RD Management	New York	NY	10019
Address: 810 Seventh Avenue, 10th Floor Street Name & Number (Post Office)	City	State	Zip Code
Property Owner: Same as Applicant	Pho	ne #	
Address: Street Name & Number (Post Office)	City	State	Zip Code
Engineer/Architect/Surveyor:	ent A	Phone #	
Address: Street Name & Number (Post Office)	City	State	Zip Code
Attorney: Hocherman Tortorella & Wekstein, LLF	Phone # <sup>(914)</sup>	421-1800	
One North Broadway, Suite 701	White Plains	NY	10601
Address: One North Broadway, Suite 701 Street Name & Number (Post Office)	City	State	Zip Code
Address: Same as above Street Name & Number (Post Office)	City	State	Zip Code
GENERAL MU This prope		V REVIEW:	
IF ANY ITEM IS CHECKED, A REVIEW MUST E PLANNING UNDER THE STATE GENERA	BE DONE BY THE R	OCKLAND COUNTY 7, SECTIONS 239 L	COMMISSIONER OF
✓ _ State or County Road	Stat	e or County Park	
Long Path Municipal Boundary		Inty Stream Inty Facility	
List name(s) of facility checked above: Vestern Highway (County Road); Palisades Interstate	<del></del>		
vescom ringinway (County Road), 1 ansades mierstate	Taikway (State Roau)	)	
Referral Agencies:			
✓ RC Highway Department	RC Division	of Environmental R	lesources
RC Drainage Agency	RC Dept. of	f Health	
NYS Dept. of Transportation	NYS Dept.	of Environmental Co	onservation
NYS Thruway Authority	Palisades Iı	nterstate Park Comr	nission
Adjacent Municipality			
✓ Other Rockland County Planning Departme	ent		

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### APPLICATION REVIEW FORM

# FILL IN WHERE APPLICABLE. (IF THE FOLLOWING DOES NOT APPLY PLEASE MOVE ON TO THE NEXT PAGE)

If subdi	vision:	
	Is any variance from the subdivision regulations required?	N/A
:	2) Is any open space being offered? If so, what amount?	N/A
;	3) Is this a standard or average density subdivision? $N/A$	
lf site pl	an:	
	1) Existing square footage N/A	
	2) Total square footageN/A	
	3) Number of dwelling units N/A	
	al permit, list special permit use and what the property will be	used for.
Environ	mental Constraints: N/A	
and net are	lopes greater than 25%? If yes, please indicate the amount and an analysis on the site? If yes, please provide the names.	
	vetlands on the site? If yes, please provide the names and type	
		<b>,</b>
Dunia at l	liata	
Project ∣ Has this pr	oject ever been reviewed before?Yes	
•	de a narrative, including the list case number, name, date, and th	o hoard(a) you appeared
	the status of any previous approvals.	e board(s) you appeared
	See Attachment 2	
-		
_		
_ist tax ma	p section, block & lot numbers for all other abutting properties in	the same ownership as
his project		
· · · · · · · · · · · · · · · · · · ·	None	
	····	

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### APPLICATION REVIEW FORM

# Applicant's Signature and Certification

State of New York ) New York County of Bookland ) SS	
County of Reckland ) SS.:  Town/Village of New York City	)
I, Richard Birdoff, Manager of BF Orangetown LLC	_ hereby depose and say that all the
above statements contained in the papers submitted herewit	h are true. BF Orangetown LLC
Signature:	
	By: Richard Birdoff, Manager
Mailing Address:	c/o RD Management
	810 Seventh Avenue, 10th Floor
	New York, NY 10019
SWORN to before this	
23 day of March, 20 21 Therea Padieno	MYRA PADRON Notary Public, State of New York No. 01PA6188217 Qualified in Nassau County Commission Expires June 2, 20
Notary Public	
Owner/Applicant's Consent Form to Visit Pro	•
Richard Birdoff, Manager of BF Orangetown LLC , ov	
in the application submitted to the town/village board, plannir supporting staff, do hereby give permission to members of sa	
the property in question at a reasonable time during the day	and boards and/or supporting start to visit
the property in question at a reasonable time during the day.	F Orangetown LLC
<b>v</b> ≠.u	TO STATE OF THE ST
SWORN to before this	Owner/Applicant Signature By: Richard Birdoff, Manager
23 day of March , 20 21	MYRA PADRON
Mupua Padron	Notary Public, State of New York No. 01PA6188217 Qualified in Nassau County
Notary Public	Commission Expires June 2, 20 24

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Orangelown Committee Center 5 Greenbush Rd Orange bury 74, 15-1-2; LI 1531Hc 31 Posters √ 392489 74.11-1-24 /392489 74.11-1-25 /392489 74.10-1-30 D & B Ent Inc Mellifont LLC Highview Avenue Holding Corp 4 Independence Ave 5 Camelot Way P.O. Box 205 Tappan, NY 10983 Orangeburg, NY 10962 Blauvelt, NY 10913 392489 74.11-1-26 √ 392489 74.14-3-15 392489 74.11-1-27 Orange & Rockland Utilities USA Construction Corp Nina Guerrero 1 Blue Hill Plz Fl 19 706 Executive Blvd Ste A 4 Maple Av Pearl River, NY 10965 Valley Cottage, NY 10989 Orangeburg, NY 10962 **392489** 74.14-3-16 **/**392489 74.14-3-21 **/** 392489 74.14-3-22 Cesar S Clemente Sr James Mooney Sabas Isaguirre 2 Maple Ave 5 Wisteria Ct 6 Wisteria Ct Orangeburg NY 10962 Orangeburg, NY 10962 Orangeburg, NY 10962 **√**392489 74.14-3-23 **392489** 74,14-3-24 392489 74.14-3-36 Woo Kun Pak Doly Thomas Ruben Balin 7 Wisteria Ct 8 Wisteria Ct 3 Cedar Av Orangeburg, NY 10962 Orangeburg, NY 10962 Orangeburg, NY 10962 **√392489** 74.14-3-37 **/** 392489 74.14-3-47 / 392489 74.14-3-38 Michael Saladino Anthony Dimauro Frank Ficarra 444 Western Hwy 440 Western Hwy 4 Kevin Dr Orangeburg, NY 10962 Orangeburg, NY 10962 Orangeburg, NY 10962 ¥ 392489 74.15-1-2 √ 392489 74.15-1-3 / 392489 74.15-1-22 BF Orangetown LLC Orangeburg Holdings LLC Thomas B Graff 810 Seventh Ave Fi 10 1000 Lowes Blvd 10 Grand St New York, NY 10019 Mooresville, NC 28117 Tappan, NY 10983 / 392489 74.15-1-21./1 **√** 392489 74.15-1-21./2 √392489 74.15-1-21./3 FB Orangetown Retail LLC FB Orangetown Retail Two LLC FB Orangetown Retail Three LLC 810 Seventh Ave Fl 10 810 Seventh Ave F1 10 810 Seventh Ave FI 10

New York, NY 10019

**J**392489 74.15-1-21./5

810 Seventh Ave Fl 10

New York, NY 10019

FB Orangetown Hotel LLC

New York, NY 10019

**/** 392489 74.15-1-21./4

810 Seventh Ave FI 10

New York, NY 10019

Town of Orangelown 205 Green loush Rd Orangebury W 10962

FB Orangetown Hotel Two LLC

New York, NY 10019

I CSK Rail ROOM

500 Water St.

Jackson ville, FL 32202

Parcel Id	swis	Year	Owner Name	Street Name	Prop Class	Total AV Activ
74.10-1-31./1	392489	2017	Spadaccini, Nicholas	1A Blue Hill Commons	411C	115,850 A
74.10-1-31./2	392489	2017	Ryan-Gurda, Patricia	18 Blue Hill Commons	411C	67,100 A
74.10-1-31./3	392489	2017	Villa-Real, Edward	1C Blue Hill Commons	411C	92,560 A
74.10-1-31./4	392489	2017	Potocki, Raymond C	1D Blue Hill Commons	411C	110,000 A
74.10-1-31 <i>.</i> /5	392489	2017	Patel, Minesh	1E Blue Hill Commons	411C	95,000A
74.10-1-31./6	392489	2017	Snowflake LP	1F Blue Hill Commons	411C	86,020 A
74.10-1-31./7	392489	2017	MTGLQ Investors LP	1G Blue Hill Commons	411C	87,100 A
74.10-1-31_/8	392489	2017	Cai, Ru Ying	1H Blue Hill Commons	411C	92,600 A
74.10-1-31./9	392489	2017	Pinnock, Edwina	11 Blue Hill Commons	411C	109,000 A
74.10-1-31./10	392489	2017	Pagliocca, Michael	2A Blue Hill Commons	411C	115.900 A
74.10-1-31./11	392489	2017	Atteridge Brian J	2B Blue Hill Commons	411C	67,100 A
74.10-1-31./12	392489	2017	Cavalli, Phyllis	2C Blue Hill Commons	411C	92,600 A
74.10-1-31./13	392489	2017	Mc Gann, Joan T	2D Blue Hill Commons	411C	110,000 A
74.10-1-31./14	392489	2017	Otea, Guillermo	2E Blue Hill Commons	411C	95,000 A
74.10-1-31./15	392489	2017	Stapleton, Maurean	2F Blue Hill Commons	411C	86,000 A
74.10-1-31./16	392489	2017	Ruiz, Edwin J	2G Blue Hill Commons	411C	67,100 A
74.10-1-31./17	392489	2017	Fuentes, Libertad	2H Blue Hill Commons	411C	92,600 A
74.10-1-31./18	392489	2017	Clancy, John F	21 Blue Hill Commons	411C	109,000 A
74.10-1-31./19	392489	2017	Hoffman, Charlotte A	3A Blue Hill Commons	411C	115,900 A
74.10-1-31./20	392489	2017	Balaguer, Anna	3B Blue Hill Commons	411C	67,100 A
74.10-1-31./21	392489	2017	Hughes, Barbara E	3C Blue Hill Commons	411C	92,600 A
74.10-1-31./22	392489	2017	Roxbury, Helen	3D Blue Hill Commons	411C	110,000 A
74.10-1-31./23	392489	2017	Arabe, Ken	3E Blue Hill Commons	411C	95,000 A
74.10-1-31./24	392469	2017	Nguyen Tan Duc	3F Blue Hill Commons	411C	92,600 A
74.10-1-31./25	392489	2017	Nespoli, Tara	3G Blue Hill Commons	411C	67.100 A
74.10-1-31./26	392489	2017	Property Management Li	3H Blue Hill Commons	411C	92,600 A
74.10-1-31./27	392489		Feeney, Joann E	31 Blue Hill Commons	411C	95,000 A
74.10-1-31./28			Stevens Lindsey	4A Blue Hill Commons	210C	98,300 A
4.10-1-31./29	392489	2017	Cupani Robert W	4B Blue Hill Commons	210C	96,000 A V
/4.10-1-31./30	392489	2017	Brown Kerri	4C Blue Hill Commons	210C	95,900 A
4.10-1-31./31	392489	2017	Madrid House LLC	4D Blue Hill Commons	210C	95,900 A 🗸
4.10-1-31./32	392489		Mc Namara, Mary K	4E Blue Hill Commons	210C	95,880 A
4.10-1-31./33	392489		Robinson Donna	4F Blue Hill Commons	210C	95,900 A
4.10-1-31./34	392489	2017	Simms Frederick \$	4G Blue Hill Commons	210C	V A00E,88
4.10-1-31./35	392489		Edier, Scott	4H Blue Hill Commons	210C	98,300A
4.10-1-31./36				41 Blue Hill Commons	411C	84,600 A V
4.10-1-31./37				4J Blue Hill Commons	411C	89,700 A
4.10-1-31./38			<u>-</u>	4K Blue Hill Commons	411C	84,600 A
4.10-1-31./39				4L Blue Hill Commons	411C	89,700 A

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392489 392489 392489 392489 392489 392489 392489 392489	2017 2017 2017 2017 2017 2017 2017 2017 1	MDMR Properties LLC Liparidis, Niko Lewin Courtney Cooke, Patrick J Curtin, Marlon Shtutman, Boris & Lub	5H Blue Hill Commons 14H Blue Hill Commons 14G Blue Hill Commons 14F Blue Hill Commons 14E Blue Hill Commons	411C 411C 210C 411C	86,020 A / 92,600 A / 65,900 A / 86,000 A /
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392489 392489 392489 392489 392489 392489	2017   2017   2017   2017   2017	Cooke, Patrick J Curtin, Marlon Shtutman, Boris & Lub	14F Blue Hill Commons	411C	65,900 A / 86,000 A /
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		lwomey, Karen	14B Blue Hill Commons		67,100 A
392489	2017 8	Stern, Steven	14A Blue Hill Commons	411C	92,600 A
		ilverman, Barry E	13D Blue Hill Commons	411C	110,000 A 🗸
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			1E Blue Hill Commons 2	~	95,900 A
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All Addresses have Town/Zip: Orangebury, NY 10962

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# HOCHERMAN TORTORELLA & WEKSTEIN, LLP

One North Broadway, Suite 701 White Plains, New York 10601-2319 P: (914) 421-1800 F: (914) 421-1856 www.htwlegal.com

Geraldine N. Tortorella Adam L. Wekstein Noelle C. Wolfson

Henry M. Hocherman, Retired

March 30, 2021

Via Federal Express and Electronic Mail (DArbolino@orangetown.com)

Hon. Daniel Sullivan, Chairman and Members of the Zoning Board of Appeals Town of Orangetown Office of Building, Zoning, Planning, Administration & Enforcement 20 Greenbush Road Orangeburg, New York 10962

Re: ZBA #20-10 Sign Size, Illumination and Location Variances – Application for Reapproval Property: 5 Greenbush Road

Tax Identification No: Section 74.15, Block 1, Lot 2

Dear Chairman Sullivan and Members of the Board:

This firm represents BF Orangetown LLC (the "Applicant"), the owner of the property located at 5 Greenbush Road in the Town's Light Industrial (LI) Zoning District (the "Property"). By Resolution designated ZBA #20-10, dated February 5, 2020 and filed in the office of the Town Clerk on February 13, 2020, your Board renewed area variances for signage in connection with a new warehouse building on the Property. (A copy of the ZBA Resolution is enclosed for your convenient reference.) According to a communication from the Director of the Office of Building, Zoning, Planning, Administration and Enforcement (the "Director"), the variances will expire on June 5, 2021 and we must apply for an extension of the variances if more time will be required to proceed with the project. (A copy of the Director's communication is submitted with the Application.) We submit this letter in explanation and support of our client's request for reapproval of the previously granted area variances for the size, illumination and setback of two monument signs proposed as part of this project.

As you may recall, the Property is approximately 5.84-acres in area and is triangular in shape. Its southern vertex is located at the Greenbush Road cul-de-sac, its northwestern vertex is located at the intersection of Highview Avenue and the CSX railroad right of way, and its northeastern vertex is located at the intersection of Greenbush Road and Highview Avenue. It is most narrow at its southern vertex and generally increases in width to its Highview Avenue frontage. See Layout Plan (Sheet 2), prepared by Leonard Jackson Associates, dated January 15, 2016, last revised January 3, 2019 (the "Layout Plan"), submitted with the Application. Like neighboring Orangeburg Commons and The Shops at Orangeburg Commons, the Property was used for pipe manufacturing by Orangeburg Pipe beginning in or about the late 1890s. Pipe manufacturing at the Orangeburg facility ceased in the early 1970s after which time much of the Orangeburg Pipe facilities were destroyed by fire. As a result of its prior use, the Property contains petroleum-related compounds and metals at concentrations above regulatory levels in soil and groundwater, which will be remediated as part of the Property's redevelopment under the New York State Brownfield Cleanup Program.

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### H T W HOCHERMAN TORTORELLA WEXSTEIN, LLP

Hon. Daniel Sullivan, Chairman and Members of the Zoning Board of Appeals March 30, 2021 Page 2

The need for the variances arises out of the need to situate the proposed monument signs on the Property to avoid parking and stormwater detention improvements approved for construction while still being visible to those accessing the Property.

The reapproval of the variances will have no negative impacts on the health, safety and welfare of the community. The signs, which will front on Greenbush Road, will not be visible from the residential properties across Western Highway. Surrounding improvements from which the signs may be visible consist of the loading and parking area serving Lowe's and the back of its store, and the back of the Stop & Shop store. The design is attractive and was approved by the Town's Architecture & Community Appearance Review Board (ACABOR). (The sign plan is submitted with the Application.)

The size of the monument signs will obviate the need for more extensive building signage which we believe would be much more apparent to the general public. Assuming 14 tenant spaces within the building, under the Town's Zoning Code, 840 square feet of building signage would be permitted; the Applicant proposes a total of 240 square feet of signage on the monument signs.

The Planning Board, as lead agency in the SEQRA review of this project, reaffirmed its negative declaration of environmental significance on November 14, 2018, indicating that the project will not result in any significant environmental impacts. Indeed, the remediation will confer a significant environmental benefit on the community and street level improvements along Highview Avenue, i.e. the reconstruction of the sidewalk and new landscaping along the Highview Avenue, will result in an overall community benefit.

The Applicant has worked in good faith to position itself to implement this project and has invested substantial resources obtaining approvals including for remediation. The Town and DEC have also expended resources in their review and approval of the project. The Applicant meets the standards for the variances and the conditions in the surrounding neighborhood have not changed in any material way since the variances were renewed in 2020. We submit that these factors, together with fairness and equity, warrant reapproval of the variances to afford the Applicant time to "substantially implement" the work.

Kindly refer this Application to all interested agencies and schedule it for a public hearing at the Board's next available meeting after the referrals are made.

Respectfully yours,

Hocherman Tortorella & Wekstein, LLP

Geraldine N. Tortorella

GNT: hc Enclosures


## H T W HOCHERMAN TORTORELLA WERSTEIN, LLP

Hon. Daniel Sullivan, Chairman and Members of the Zoning Board of Appeals March 30, 2021 Page 3

cc: Via Electronic Mail Without Enclosures

Jane Slavin, RA
Denise Sullivan, Esq., Deputy Town Attorney
BF Orangetown LLC
Justin Lim, P.E.
Nathanial Burns, RLA

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#### DECISION

## EXTENSION OF TIME TO IMPLEMENT SIGN SIZE, ILLUMINATION AND LOCATION VARIANCES GRANTED

To: Geraldine Tortorella (Orangetown Commerce)
Hocherman, Tortorella & Wekstein LLP
1 North Broadway Suite 701
White Plains, NY 10601-2319

ZBA #20-10 Date: February 5, 2020 Permit # 45232

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#20-10: Application of Orangetown Commerce Center for an extension of time to implement variances that were granted in ZBA #16-62 and extended once in ZBA #18-06: variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, LI District, Section 3.11, Column 5 #7 (Total Sign Area shall not exceed 60 sq. ft.: illuminated area of sign: 30 sq. ft. permitted: 240 sq. ft. proposed) and #8 c ( sign setback: 30' required, 6'10" and 3' proposed) for two (2) internally lit freestanding signs. The premises are located at 5 Greenbush Road, Orangeburg, New York and are identified on the Orangetown Tax Map as Section 74.15, Block 1, Lot 2; in the LI zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, February 5, 2020 at which time the Board made the determination hereinafter set forth.

Geraldine Tortorella, Esq., Vani Nuyyar, Intern, Justin Lim, P.E., Leonard Jackson Associates; appeared and testified.

The following documents were presented:

 As-built survey for tax lot 77.08-5-33.1 dated 05/27/2015 with the last revision date of 10/26/2017 signed and sealed by Jay A. Greenwell, PLS, LLC.

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Mr. Sullivan moved for a Board determination that the foregoing application seeks area or bulk variances for construction or expansion of a primary, or accessory or appurtenant, non – residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls; this application is exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (9); which does not require SEQRA environmental review; and that the ZBA consented to Planning Board acting as Lead Agency for SEQR purposes which was conducted as set forth in PB#16-62 (Preliminary Site plan approval) and with SEQR reaffirmed in PB# 18-29 (Final Site Plan approval subject to conditions). The motion was seconded by Ms. Castelli and carried as follows: Ms. Castelli, aye; Mr. Quinn, aye; Mr. Sullivan, aye; and Ms. Bonomolo, aye; and Mr. Bosco, aye.

Geraldine Tortorella, Esq., testified that they appeared for final approval on the project on December 16, 2016; that the site is contaminated and is under the Brownfields remedial action work plan; that they went back to ACABOR to change the façade on the rear of the building

TOWN CLERK'S OFFICE TOWN OF ORANGETOWN

Orangetown Commerce Center signs
ZBA#20-10 Permit #45232
Page 2 of 4

as a cost saving measurement and once they start the work they must finish it because of the cleanup; and that they are hoping to start it soon.

#### Public Comment:

No public comment.

The Board members made personal inspections of the premises the week before the meeting and found them to be properly posted and as generally described on the application.

A satisfactory statement in accordance with the provisions of Section 809 of the General Municipal Law of New York was received.

Mr. Sullivan made a motion to close the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

### FINDINGS OF FACT AND CONCLUSIONS:

After personal observation of the property, hearing all the testimony and reviewing all the documents submitted, the Board found and concluded that the benefits to the applicant if the variance(s) are granted outweigh the detriment (if any) to the health, safety and welfare of the neighborhood or community by such grant, for the following reasons:

- 1. No significant change in circumstances has occurred since the prior approved variances were granted in ZBA #16-62 and reaffirmed (with an extension granted) in ZBA# 18-06 that would warrant Board reconsideration of its approval.
- 2. Applicants stated that they expect construction to begin construction soon.

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Orangetown Commerce Center signs
ZBA#20-10 Permit #45232
Page 3 of 4

DECISION: In view of the foregoing and the testimony and documents presented, the Board RESOLVED that the application for the requested extension of time to implement the variances granted in ZBA #18-08, ZBA#16-62 for sign size, Illumination, and location variances are APPROVED; and FURTHER RESOLVED, that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

#### General Conditions:

- (i) The approval of any variance or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.
- (ii) Any approval of a variance or Special Permit by the Board is limited to the specific variance or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.
- (iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any variances being requested.
- (iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.
- (v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

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Orangetown Commerce Center Signs ZBA#20-10 Permit #45232 Page 4 of 4

The foregoing resolution to approve the application for the requested extension of time to implement variances granted in ZBA # 16-62, and as reaffirmed (with an extension granted) in #18-06 for sign size, illumination and location variances are APPROVED; was presented and moved by Mr. Sullivan, seconded by Ms. Castelli and carried as follows: Mr. Bonomolo, aye; Mr. Quinn, aye; Mr. Sullivan, aye; Ms. Castelli, aye; and Mr. Bosco, aye.

The Administrative Aide to the Board is hereby authorized, directed and empowered to sign this decision and file a certified copy thereof in the office of the Town Clerk.

DATED: February 5, 2020

ZONING BOARD OF APPEALS TOWN OF ORANGETOWN

Deborah Arbolino
Administrative Aide

#### DISTRIBUTION:

APPLICANT
ZBA MEMBERS
SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR-G.M.

TOWN CLERK
HIGHWAY DEPARTMENT
ASSESSOR
DEPT, OF ENVIRONMENTAL
MGMT, and ENGINEERING
FILEZBA, PB
CHAIRMAN, ZBA, PB, ACABOR

TOWN OF ORANGETOWN
TOWN CLERK'S OFFICE
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ZONING BOARD OF APPEALS Town of Orangetown 20 Greenbush Road Orangeburg, New York 10962 (914) 359-8410 (ex. 4331) Date: April 5, 2021 TO: OBAPAE Rockland County Drainage Environmental Management and Engineering Rockland County Health Rockland County Sewer District #1 Rockland County Planning New York State Dept. of Transportation Rockland County Highway Palisades Interstate Park Commission Orange and Rockland Utilities CSX Orangetown Highway Fire Prevention (Performance Standards) Review of Plans: Orangetown Commerce Center, 5 Greenbush Road, Orangeburg, NY Section 74.15 Block 1 Lot 2 LI zone This matter is scheduled for: The applicant is requesting an extension of time for sign variances granted in ZBA#20-10 last extended on February 5, 2020. Please review the information enclosed and provide comments. These comments may be mailed, e-mailed or faxed to the Zoning Board Office. If your Agency does not have any comments at this time, please respond to this office by sending back this sheet. • US Postal: 20 South Greenbush Road, Orangeburg, NY 10962 • Email to Zoning Board: darbolino@orangetown.com or • Fax to the Town of Orangetown ZBA @845 359 8526 **Zoning Board Meeting Date: May 19, 2021** ) Comments attached ) No Comments at this time. Please send future correspondence for review. ) No future correspondence for this site should be sent to this agency. Plans reviewed and this agency does not have any further comments. ( ) This project is out of the jurisdiction of this agency and has no further comments. This project is before the Zoning Board on Wednesday, May 19, 2021. Kindly forward your completed review to this office by May 19, 2021. Reviewing Agency date: Signature: Thank you, Deborah Arbolino

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