TOWN OF ORANGETOWN REGULAR TOWN MEETING Tuesday, June 26, 2018

This Town Board Meeting was opened atp.m. Councilman Denis Troy Councilman Thomas Diviny Councilman Paul Valentine Councilman Jerry Bottari Supervisor Christopher Day	
Pledge of Allegiance to the Flag	
ANNOUNCEMENTS:	
Independence Day Celebrations:	
June 30th - Nyack (Memorial Park) on river - Fireworks at 9:00 P.M.	
July 4th - Pearl River (Central Avenue Field) - Music at 7:00 p.m. / Fireworks at 9:30 P	.M
• TBWS July 17, 2018 at 8:05 P.M. / Storage Container Code Change	
• TBWS July 17, 2018 AT 8:15 P.M. / Filming Code Revision	
TBWS July 17, 2018 at 8:35 P.M. / Continue Public Hearing RE: Proposed Zoning Tex • Amendment / "CS" to a "PAC" District / Galway Bay Contracting, Inc. / 21 North William Street, Pearl River	
PRESENTATIONS:	
Presentation of the "LT. JACK LYMAN AUXILIARY POLICE SERVICE AWARD" (Presented by Chief Nulty)	
Marc Gellar, of Montefiore Nyack Hospital / Hospital Building Campus Updates	

New York Parks & Trails Representatives / James Meerdink / Orangetown Bike Study Final Plan / Recommendations

PUBLIC COMMENT:

AGENDA ITEMS:

TOWN BOARD

RESOLUTION TO OPEN PUBLIC HEARING ON JUNE 26, 2018 AT 8:05 P.M. / THE POINTE AT LAKE TAPPAN / BNE REAL ESTATE GROUP / PROPOSED ZONING CODE ORDINANCE AMENDMENT / "OP" TO A "PAC" DISTRICT / SECTION 73.10, Block 1, Lot 5 18-2113C-4

1. **RESOLVED**, that the public hearing on a proposed zoning code ordinance amendment, "OP" to a "PAC" DISTRICT / BNE REAL ESTATE GROUP / Section 73.10, Block 1, Lot 5 18-2113C-4, is hereby opened.

PRESENTATIONS: Notice of Posting and Affidavit of Publication

SUMMARY OF PUBLIC COMMENTS:

RESOLUTION / CLOSE OR CONTINUE PUBLIC HEARING / THE POINTE AT LAKE TAPPAN / BNE REAL ESTATE GROUP PROPOSED ZONING CODE ORDINANCE AMENDMENT / "OP" TO A "PAC" DISTRICT / SECTION 73.10, Block 1, Lot 5 18-2113C-4

2. **RESOLVED**, that the public hearing on a proposed zoning code ordinance amendment, The Pointe at Lake Tappan / BNE Real Estate Group / "OP" to a "PAC" District / Section 73., Block 1, Lot 5 18-2113C-4, is hereby closed or continued to TBWS of July 24, 2018 at 8:25 P.M.

RESOLUTION TO OPEN PUBLIC HEARING ON JUNE 26, 2018 AT 8:15 P.M. / KAZZIEGIRL LLC AND LSB10924 LLC / PROPOSED ZONING CODE CHANGE / TAX MAP 73.15-1-11

 RESOLVED, that the public hearing on a proposed zoning code change / Kazziegirl LLC and LSB10924 LLC, is hereby opened.

PRESENTATIONS: Notice of Posting and Affidavit of Publication

SUMMARY OF PUBLIC COMMENTS

RESOLUTION TO CONTINUE / CLOSE PUBLIC HEARING / KAZZIEGIRL LLC and LSB10924 LLC / PROPOSED ZONING CODE CHANGE / 37 HUNT ROAD, ORANGEBURG / FROM "LIO" TO "R-80" / TAX MAP 73.15-1-11

4. **RESOLVED**, that the public hearing on a proposed zoning code change for Kazziegirl LLC and LSB10924 LLC / is hereby closed / or continued to TBWS July 24, 2018 at 8:05 P.M, if necessary.

RESOLUTION TO DECLARE LEAD AGENCY / SEQR DETERMINATION / ADOPT A NEGATIVE DECLARATION WITH RESPECT TO LOCAL LAW NO. __ OF 2018, AMENDING THE TOWN ZONING LAW TO CHANGE THE ZONING DISTRICT, 37 HUNT ROAD, ORANGEBURG, KAZZIEGIRL, LLC AND LSB10924 / TAX LOT 73.15-1-11 FROM "LIO" TO "R-80"

5. **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 37 Hunt Road in the hamlet of Orangeburg, tax lot 73.15-1-11 from "LIO" to "R-80", and

WHEREAS, on or about, pursuant to Town Board Resolution 2018-301 the Town Board circulated amongst 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, being the only Involved Agency, the Town Board hereby assumes the role of Lead Agency for environmental review; and

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.

The aforesaid resolution was moved by _	, seconded by
, and (adopted / reject	ed) by a vote of _ Ayes Nays and Abstentions

TOWN OF ORANGETOWN, ROCKLAND COUNTY

ZONING TEXT AMENDMENT

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

DATE: June 26, 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:

Adoption of Local Law No. ___ of 2018 of the Town of Orangetown, amending the Town Zoning Law, and Zoning Map, to change the zoning classification of the parcel known as 37 Hunt Road in the hamlet of Orangeburg, tax lot 73.15-1-11 from "LIO" to "R-80".

SEQRA STATUS:	

Unlisted Action

DESCRIPTION OF ACTION:

The proposed action consists of a change to the zoning classification of the entire parcel known as 500 Route 303 in the hamlet of Orangeburg, tax lot 74.07-1-6 from "CC" and "LI" to "CC" in its entirety.

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 single family residence and is located in an LIO zone, to an R-80 zone, which is a neighboring zoning district. The parcel currently abuts the R-80 district.

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 existing lot is bordered on three sides by the R-80 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

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 TO ADOPT PROPOSED LOCAL LAW AMENDING CHAPTER 43, 2.2, OF THE ZONING LAW OF THE TOWN OF ORANGETOWN TO CHANGE THE ZONING LAW OF THE TOWN OF ORANGETOWN TO CHANGE THE ZONING DISTRICT OF CERTAIN PROPERTY IN THE HAMLET OF ORANGEBURG / KAZZIEGIRL LLC AND LSB10924 LLC / 37 HUNT ROAD, ORANGEBURG / FROM "LIO" TO "R-80" / TAX MAP 73.15-1-11

6. **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 37 Hunt Road in the hamlet of Orangeburg, tax lot 773.15-1-11 being located in the "LIO" (Light Industrial-Office) zoning district, to change the zoning classification of the property to that of "R-80" (Rural Residential), a zoning district that already directly abuts the property on three sides, and

WHEREAS, by Resolution No. __ of 2018, after notice duly given, and there being no other involved agency, by resolution duly adopted this 26th day of June, 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 already abuts the parcel on three sides, 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 I & m, have each reviewed the proposed law; and

WHEREAS, the Town Planning Board, by Memorandum, dated June 13, 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 recommends that the Town Board consider the definition of what an animal hospital is and the impact to the character of the surrounding neighborhood:

Traffic on Hunt Road and surrounding roadways
Emergency services
Overnight boarding
Long term boarding
Number of animals at the facility
; 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, and finds that the other issues raised by the Planning Board must all be addressed as part of a site plan review for any proposed development of the site requiring site plan review, including any variance applications to be reviewed by the Zoning Board of Appeals if necessary, and

WHEREAS, the County Department of Planning, by letter review dated June 21, 2018, has recommended that if the zone change is approved, then the Town of Orangetown must provide the Rockland County Planning Department with a copy of the resolution so that the updates can be implemented;

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 "R-80".

The aforesaid was moved byadopted / rejected) by a roll call vote as follo	_, and
Aye Nay	
Supervisor Day	
Councilman Troy	
Councilman Diviny	
Councilman Valentine	
Councilman Bottari	

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:

37 Hunt Road (Tax Map Designation 73.15-1-11) from the "LIO" (Light Industrial-Office) zoning district to the "R-80" (Rural Residence) zoning district, which metes and bounds description is as follows:

All that certain lot, piece or parcel of land, situate, lying and being in the Town of Orangeburg, County of Rockland and State of New York and being more accurately bounded and described as follows:

Beginning at a point marked by a copper clad monument found at the intersection of

the southwesterly sideline of Hunt Road with the dividing line between the reputed lands of the Missale (southerly) and the herein described parcel (northerly);

THENCE, from said point of beginning and along the said reputed lands of Missale, North 89 degrees 30 minutes 04 seconds West a distance of 389.89 feet to a point;

THENCE, along the reputed lands of Brightview Lake Tappan, LLC., North 00 degrees 29 minutes 56 seconds East a distance of 177.00 feet to a point;

THENCE, along the same, South 89 degrees 30 minutes 04 seconds East a distance of 300.00 feet to a point marked by a rebar set;

THENCE, along the aforementioned southwesterly sideline of Hunt Road, South 26 degrees 25 minutes 34 minutes East a distance of 198.52 feet to the point or place of beginning;

Containing 1 .402 acres of land more or less as surveyed by Engineering & Surveying Properties, PC on November 8, 2017, adopting New York State Plane Coordinate System NAD83, Zone 3101 for the basis of bearing as determined by GPS observations.

Section 2: This law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION / CONTINUATION OF PUBLIC HEARING JUNE 26, 2018 AT 8:30 PM / PROPOSED LOCAL LAW AMENDING ORANGETOWN CODE §6-5 (CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION); AND ORANGETOWN ZONING CODE (CHAPTER 43) §4.11, §4.12 AND §4.13 (PERFORMANCE STANDARDS), §10.222 (ENFORCEMENT), AND §10.323, §10.334 AND §10.335 (BOARD OF APPEALS)

7. **RESOLVED** that the Public Hearing, to consider the adoption of a Local Law amending the following provisions of the Code of the Town of Orangetown: (a) §6-5 (Chapter 6, Building Construction Administration), (b) Zoning Code (Chapter 43) §4.11, §4.12 and §4.13 (Performance Standards), (c) Zoning Code (Chapter 43) §10.222 (Enforcement), and (d) Zoning Code (Chapter 43) §10.323, §10.334 and §10.335 (Board of Appeals); was held open at the May 8, 2018, meeting of the Town Board, and continued to this evening and has remained open.

PRESENTATION: Correspondence received:

- (1). Report from expert consultant to the Town Board, dated 05/02/2018, entitled "Town Performance Standard for Odors and Odorous Emissions," by Sander Bonvell, of Earth View Environmental;
- (2). Attorney-client privileged confidential memorandum from the Town Board's outside legal counsel, dated 04/16/2018, entitled "Proposed Amendments to Performance Standards," by Christine A. Fazio, Esq. and Karen E. Meara, Esq., of Carter Ledyard & Milburn LLP (not for public disclosure);
- (3). Part 1 Project Information of the State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form (EAF), dated 02/06/2018, prepared and signed by John S. Edwards, Esq., Town Attorney (retired);
- (4). Part 2 and Part 3 Impact Assessment, and Determination of Significance, respectively of the SEQRA Short EAF, dated 06/05/2018, prepared and signed by Dennis D. Michaels, Esq., Deputy Town Attorney;

(5).	· · · · · · · · · · · · · · · · · · ·	
(6).		'
(O) (7)		—: :
(<i>1</i>)·		;
(8)		,
(9)		

Summary of Public Comments:

RESOLUTION TO DECLARE TOWN BOARD AS SEQRA LEAD AGENCY / PROPOSED LOCAL LAW AMENDING ORANGETOWN CODE §6-5 (CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION); AND ORANGETOWN ZONING CODE (CHAPTER 43) §4.11, §4.12 AND §4.13 (PERFORMANCE STANDARDS), §10.222 (ENFORCEMENT), §10.323, §10.334 AND §10.335 (BOARD OF APPEALS)

8. **RESOLVED** that, in considering adoption of text amendments to: (a) Orangetown Code §6-5 (Chapter 6, Building Construction Administration), (b) Zoning Code (Chapter 43) §4.11, §4.12 and §4.13 (Performance Standards), (c) Zoning Code (Chapter 43) §10.222 (Enforcement), and (d) Zoning Code (Chapter 43) §10.334 and §10.335 (Board of Appeals), in accordance with the implementing Regulations of the New York State Environmental Quality Review Act ("SEQRA"), found at Title 6, NYCRR, Part 617, and more than thirty days having elapsed since the Town Board issued its Notice of Intention to Declare itself SEQRA Lead Agency to all Involved Agencies, if any, and not having received any objection to such Notice of Intention, the Town Board hereby Declares itself to be Lead Agency in the environmental quality review of this proposed land use action, as per SEQRA Regulation 6 NYCRR §617.6(b)(5)(v).

RESOLUTION / SEQRA NEGATIVE DECLARATION / DETERMINATION OF NON-SIGNIFICANCE / NO POTENTIAL SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS TO RESULT FROM ADOPTION OF PROPOSED LOCAL LAW AMENDING ORANGETOWN CODE §6-5 (CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION); AND ORANGETOWN ZONING CODE (CHAPTER 43) §4.11, §4.12 AND §4.13 (PERFORMANCE STANDARDS), §10.222 (ENFORCEMENT), AND §10.323, §10.334 AND §10.335 (BOARD OF APPEALS)

9. **RESOLVED** that, in accordance with the implementing Regulations of the State Environmental Quality Review Act (SEQRA), for the reasons set forth in Part 1 (Project Information) of the SEQRA Short Environmental Assessment Form (EAF), dated 02/06/2018, prepared and signed by John S. Edwards, Esq., Town Attorney (retired), and Part 2 and Part 3 (Impact Assessment, and Determination of Significance, respectively) of the SEQRA Short EAF, dated 06/05/2018, prepared and signed by Dennis D. Michaels, Esq., Deputy Town Attorney, the Town Board hereby determines that the adoption of text amendments, most recently revised on 06/05/2018, to (a) Orangetown Code §6-5 (Chapter 6, Building Construction Administration), (b) Zoning Code (Chapter 43) §4.11, §4.12 and §4.13 (Performance Standards), (c) Zoning Code (Chapter 43) §10.222 (Enforcement), and (d) Zoning Code (Chapter 43) §10.323, §10.334 and §10.335 (Board of Appeals), will not have any significant adverse environmental impacts, and a draft Environmental Impact Statement will not be prepared, and the Town Board hereby issues a SEQRA Negative Declaration of Non-Significance.

RESOLUTION TO CLOSE PUBLIC HEARING / PROPOSED LOCAL LAW AMENDING ORANGETOWN CODE §6-5 (CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION); AND ORANGETOWN ZONING CODE (CHAPTER 43) §4.11, §4.12 AND §4.13 (PERFORMANCE STANDARDS), §10.222 (ENFORCEMENT), AND §10.323, §10.334 AND §10.335 (BOARD OF APPEALS)

10. **RESOLVED**, that the public hearing is hereby closed.

RESOLUTION FOR ADOPTION OF LOCAL LAW NO. ____ OF 2018 / AMENDING ORANGETOWN CODE §6-5 (CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION); AND ORANGETOWN ZONING CODE (CHAPTER 43) §4.11, §4.12 AND §4.13 (PERFORMANCE STANDARDS), §10.222 (ENFORCEMENT), AND §10.323, §10.334 AND §10.335 (BOARD OF APPEALS)

11. **WHEREAS**, the Town Board of the Town of Orangetown ("Town" and "Town Board," respectively) is the duly elected legislative body of the Town, authorized to adopt Local Laws amending the Code of the Town of Orangetown ("Orangetown Code"), including zoning text amendments to the Town's Zoning Code (Chapter 43 of the Orangetown Code); and

WHEREAS, the Town Board has considered the adoption of amendments to Orangetown Code §6-5 (Chapter 6, Building Construction Administration); and to Orangetown Zoning Code (Chapter 43) §4.11, §4.12 and §4.13 (Performance Standards), §10.222 (Enforcement), and §10.323, §10.334 and §10.335 (Board of Appeals), which said Orangetown Code provisions, as herein proposed to be amended ("proposed Local Law"), are set forth below following this Resolution; and,

WHEREAS, after notice duly given, and there being no other Involved Agency, by Resolution duly adopted this 26th day of June, 2018, the Town Board assumed the role of Lead Agency, pursuant to the State Environmental Quality Review Act (SEQRA), for environmental review, and, acting in its capacity as such, determined that there will be no potential significant adverse environmental impacts resulting from the Town Board's adoption of the proposed Local Law; and

WHEREAS, following compliance with all public notice requirements as mandated by NYS statute(s) and the Orangetown Code, and distribution of the proposed Local Law to the Town Board as per NYS Municipal Home Rule Law §20(4), a Public Hearing was duly held by the Town Board regarding the proposed Local Law; and

WHEREAS, the Town Planning Board, pursuant to Orangetown Zoning Code §10.5, and the Rockland County Department of Planning, pursuant to NYS General Municipal Law ("GML") §239-I, et seq., have each reviewed the proposed Local Law; and

WHEREAS, the Town Planning Board, by its memorandum to the Town Board, dated 02/28/2018, following due consideration at a public meeting held on the same date, offered no comments regarding the proposed Local Law; and

WHEREAS, the Rockland County Department of Planning, by its GML §239-I, et seq.,

review report, dated 03/05/2018, has approved the proposed Local Law.

BOARD, AND THE FINDINGS MADE	L OF THE INFORMATION BEFORE THE TOWN E HEREIN, BE IT RESOLVED, that the Town ocal Law in the form and substance, as amended olution was moved by
	, and (adopted / rejected) by a roll call vote as
follows:	
Aye Nay	
Supervisor Day	
Councilman Troy	
Councilman Diviny	
Councilman Valentine	
Councilman Bottari	

PROPOSED AMENDMENTS TO CODE OF THE TOWN OF ORANGETOWN: CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION, §6-5; AND CHAPTER 43, ZONING, §4.1 (PERFORMANCE STANDARDS), §10.2 (ENFORCEMENT) AND §10.3 (BOARD OF APPEALS)

(SEE ATTACHED BACKUP DOC.)

RESOLUTION TO SCHEDULE SPECIAL TOWN BOARD MEETING / SATURDAY, SEPTEMBER 8, 2018 / 8:00 AM - 1:00 PM / 2019 TOWN BUDGET

12. **RESOLVED,** that the Town Board hereby schedules a public Special Town Board Meeting on Saturday, September 8, 2018, at 8:00 A.M. to hear 2019 Budget Presentations, by Town Department Heads, which meeting is expected to continue until 1:00 P.M., and directs the Town Clerk to notify the public of this meeting.

RESOLUTION TO APPROVE AGREEMENT / BUSINESS EXPENSE ADVISORS, LLC / CONSULTANT SERVICES / GENERATE SAVINGS

13. **RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute an Agreement, on behalf of the Town, with Business Expense Advisors, LLC, subject to review and approval of the proposed agreement by the Town Attorney's Office, which agreement is to provide professional services to the Town including but not limited to: negotiation with new vendors, and/or renegotiation with current vendors of some Town departments to provide more cost-effective spending within the framework and the constraints of the Town Procurement Policy, the monetary thresholds of the Competitive Bidding requirements, or exceptions thereto, Best Value Purchasing, Piggybacking on certain government contracts, the Town Code and Town Ethics Code, the NYS Town Law and the NYS General Municipal Law, at a cost of FIFTY (50%)

PERCENT of any savings found and identified for the first TWENTY-FOUR (24) MONTHS from the date the new or renegotiated agreement is signed by the TOWN with the new or existing Vendor.

AYES: NOES:

> RESOLUTION TO AUTHORIZE AGREEMENT / ALL BRIGHT ELECTRIC / 2018 MAINTENANCE OF TOWN-OWNED MUNICIPAL STREETS

14. **WHEREAS**, the Town Board, pursuant to Resolution 2017-451, the accepted bids for the conversion of street lights, to be purchased by the Town of Orangetown, and

WHEREAS, as part of that resolution, the Town authorized entering into a 10 year service contract with All Bright Electric at a cost of \$214,000.00 to be paid over the course of the contract in equal installments,

NOW THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to enter into an agreement with All Bright Electric for the servicing of the converted street lights over a 10 year period, at a cost of \$214,000.00 to be paid in equal annual installments, subject to review and approval by the Town Attorney and Director of Finance.

RESOLUTION TO CREATE NEW TOWN
EMPLOYEE POSITION / INTERGOVERNMENTAL RELATIONS
COORDINATOR - ECONOMIC
DEVELOPMENT & TOURISM

15. **RESOLVED** that, pending Rockland County Department of Personnel approval, the Town Board hereby authorizes the creation of a new Town position, INTER-GOVERNMENTAL RELATIONS COORDINATOR - ECONOMIC DEVELOPMENT & TOURISM, which position will be in the Exempt Class and on the Exclusion list, a salaried position with a salary of \$80,000 and to be an appointment of the Town Supervisor.

TOWN BOARD/IT

TOWN CLERK

RESOLUTION TO ACCEPT / RECEIVE / FILE DOCUMENTS RECEIVED IN THE TOWN CLERK'S OFFICE

- 16. **RESOLVED**, that the following documents are accepted, received and filed in the Town Clerk's Office:
 - 1. Agreement: ADS Environmental Services, LLC, to monitor, analyze, and report final flow reductions / Nyack Sanitary Sewer System.
 - 2. MS4 Annual Report Year 15 (DRAFT), dated April 24, 2018.
 - 3. Town Board minutes: 4/10/18, 4/24/18 & 5/15/18 Regular Town Board Meeting; 4/17/18 & 5/8/18 Workshop; and 4/17/18 & 5/8/18 Police Commission.

TOWN ATTORNEY

RESOLUTION TO APPROVE / DEME 2018 CERTIFICATE OF SEWER REGISTRATION / TOWN ATTORNEY

17. **RESOLVED**, that upon the recommendation of the Town Attorney and the Commissioner of the Department of Environmental Management and Engineering, a Certificate of Registration for 2018 Sewer Work is approved to:

CIOFFI 1, INC., 27 Skyline Drive, Thiells, New York 10984

RESOLUTION TO APPROVE RIGHT-OF-WAY DEDICATION AND NON-EXCLUSIVE DEED OF EASEMENT FOR BUS SHELTER / PB #14-24, WALGREENS SITE PLAN

18. **RESOLVED**, that upon the recommendation of the Town Attorney's Office, Department of Environmental Management and Engineering, and the Superintendent of Highways, the Right-of-Way Dedication, dated September 8, 2017, and the Non-Exclusive Deed of Easement for Bus Shelter, dated September 8, 2017, both relating to Planning Board #14-24, Walgreens Site Plan, are hereby accepted and received; and

BE IT FURTHER RESOLVED, that the Supervisor or his designee is hereby authorized to execute all documents necessary to effectuate the acceptance and filing of the respective deeds with the Rockland County Clerk.

OBZPAE

RESOLUTION TO SET PUBLIC HEARING / TBWS AUGUST 7, 2018 at 8:05 P.M. / ON PROPOSED AMENDMENT TO TOWN CODE, CHAPTER 43, ARTICLES X AND XI, AND CHAPTER 21A, WITH RESPECT TO INTERNAL SUBDIVISIONS AND CLARIFYING PROJECTS REQUIRING SITE PLAN APPROVAL / PROPOSED TO PROVIDE FOR THE REGULATION OF COMMERCIAL BUILDING INTERNAL SUB-DIVISIONS

19. **RESOLVED,** that the Town Board will hold a public hearing on TBWS August 7, 2018, at 8:05 P.M., on a proposed Local Law, amending Chapter 43, Article X and Article XI amending the definition of "subdivision" insofar as relates to division of commercial structures, and adding a new subsection to Chapter 21A-4 to address the requirement for site plan approval for a change of use of a property.

RESOLUTION TO DECLARE INTENT OF TOWN BOARD TO SERVE AS LEAD AGENCY PURSUANT TO SEQRA / REGULATION OF COMMERCIAL BUILDING INTERNAL SUBDIVISIONS

20. **WHEREAS**, the Town Code currently provides for the definition of "subdivision" to include the division of an existing commercial structure into two or more units and requires a "subdivision" approval from the Planning Board in such circumstances, and

WHEREAS, the Town Board is desirous of clarifying the circumstances under which projects that are currently treated as "internal subdivisions" must appear for approval by the Planning Board and the type of approval necessary, and

WHEREAS, by amending the definition of "subdivision" to exclude projects consisting of only commercial internal changes, while also requiring those projects which result in a change of use or parking requirements to obtain site plan approval, projects that require Planning Board review will be properly vetted, while those that only involve construction of demising walls without a change in use will be reviewed by the Building Department, and

WHEREAS, upon review of the proposed Local Law, Short Environmental Assessment Form, and related documents and filings, the Board makes the following preliminary determinations:

- 1. The proposed action is one subject to review under the State Environmental Quality Review Act ("SEQRA");
- 2. The proposed action as an "Unlisted" action; and
- 3. The following are involved or interested or involved agencies in the review process:
- Orangetown Planning Board;
- Rockland County Department of Planning;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA, and directs that a Lead Agency Coordination Letter with relevant documents be circulated to and among the various above referenced

agencies; and

BE IT FURTHER RESOLVED, that the circulation to the Rockland County Department of Planning further be for the purpose of review pursuant to General Municipal Law §§ 239- I & m; and

BE IT FURTHER RESOLVED, that, pursuant to Town Code Chapter 43, § 10.5, the Town Board hereby refers the said Petition and a proposed Local Law, amending the Town Code, to the Town Planning Board, inviting its input regarding, among other things, the implications of such an amendment, and requesting a response within 30-days.

PROPOSED LOCAL LAW NO. __ OF 2018, ON PROPOSED AMENDMENT TO TOWN CODE, CHAPTER 43, ARTICLES X and XI, AND CHAPTER 21A, WITH REPSECT TO INTERNAL SUBDIVISIONS AND CLARIFYING PROJECTS REQUIRING SITE PLAN APPROVAL

(SEE ATTACHED BACKUP DOC.)

POLICE

POLICE/TOWN ATTORNEY

HIGHWAY/POLICE

RESOLUTION TO APPROVE / LEND ASSISTANCE / 2018 FATHER'S DAY RUN / JUNE 17, 2018 / PEARL RIVER

21. **RESOLVED,** upon the recommendation from the Superintendent of Highways and the Chief of Police, that the Town Board hereby authorizes the Town of Orangetown Highway & Police Departments to lend assistance which includes the use of Town roads from the Highway Department and Auxiliary Police from the Orangetown Police Department, for the Pearl River Elks Club annual Father's Day Run to be held on Sunday, June 17th, 2018, from 8:30 am to 9:30 am, nunc pro tunc.

HIGHWAY

RESOLUTION TO AWARD BID / PURCHASE OF VARIABLE MESSAGE BOARDS

22. **RESOLVED**, upon the recommendation from the Superintendent of Highways, award the bid for Variable Message Boards to Glenco Supply Inc, Oakhurst, New Jersey, lowest qualified bidder to meet specifications, in the amount of \$36,062.

HIGHWAY/PARKS

RESOLUTION TO ACCEPT STATE AND MUNICIPAL FACILITIES PROGRAM GRANT (#7032) IN THE AMOUNT OF \$125,000 FOR TOWN IMPROVEMENTS / SITE PREPARATION AND CONSTRUCTION OF THE GREENBUSH BIKE BYPASS (\$100,000) / ADDITION OF PLAYGROUND TO CHERRY BROOK PARK, PEARL RIVER (\$25,000) / NEGATIVE DECLARATION PURSUANT TO SEQRA

23. **WHEREAS**, the Town of Orangetown has been approved by the State of New York to receive a State and Municipal Facilities Program (SAM) grant to be administered by the Dormitory Authority of the State of New York (DASNY) for Orangetown recreation projects, Project Identification #7032, in the amount of \$125,000.00 and

WHEREAS, the Town has agreed that the funding shall be used for two projects in the Town, the first being a playground project at Cherry Brook Park in the amount of \$25,000.00, the second being for the Greenbush Road-Route 303 Bicycle Bypass project in the amount of \$100,000.00, and

WHEREAS, the Town Board, by Resolution 2018-23 issued a Negative Declaration pursuant to SEQRA with respect to the Greenbush Road-Route 303 bypass and

WHEREAS, the Town Board hereby finds that the Cherry Brook Park project is a Type II action under SEQRA which requires no further review with respect to SEQRA, and

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the SAM Grant from the State of New York, to be administered by DASNY, in the amount of \$125,000.00, to be apportioned as follows: \$25,000.00 to be utilized with respect to the Cherry Brook Park playground project; \$100,000.00 to be utilized with respect to the Greenbush Road-Route 303 Bicycle Bypass project, and

BE IT FURTHER RESOLVED, that the Supervisor or his designee is authorized to execute any and all documents necessary to accept and administer the grant in accordance with DASNY requirements, subject to review and approval of the Town Attorney's Office.

PARKS AND RECREATION

RESOLUTION TO EXTEND AGREEMENT / 2018 / DOWNES TREE SERVICE / TREE PRUNING AND REMOVAL TOWN OWNED PROPERTIES

24. **WHEREAS**, in 2017, the Town entered into an agreement with Downes Tree Service to provide for tree pruning and related services within Town Parks and

property owned by the Town for the 2017 calendar year, and

WHEREAS, the Town and Downes Tree Service have mutually agreed to extend their current agreement for tree pruning and removal within Town Parks and on Town owned properties for the calendar year 2018 as authorized by subsection i of the Specifications and Requirements section of the 2017 agreement,

NOW THEREFORE BE IT RESOLVED, upon the recommendation of the Superintendent of Parks and Recreation, authorize the extension of the 2017 agreement for tree pruning and removal in Town Parks and on Town owned properties through calendar year 2018 with Downes trees Service of Hawthorne, NJ under the same terms and conditions.

RESOLUTION TO AWARD BID / ORANGETOWN TOWN HALL / NEW SIDE BOILER REPLACEMENT

25. **RESOLVED**, Upon the recommendation of the Superintendent of Parks and Recreation award the bid for Town Hall New Side Boiler Replacement to: Hauser Bros. of Orangeburg, NY, the lowest qualified bidder. In the amount of: \$78,778.00.

DEME

RESOLUTION TO AMEND DATES AFFECTED BY RESOLUTION NO. 328 (RTBM 5-15-18) / GRANT PERMISSION / DAVID ALVAREZ TO ATTEND WASTEWATER OPERATOR CERTIFICATION COURSE / GRADE 3 SUPERVISION AND TECHNICAL OPERATIONS

26. **RESOLVED**, that upon the recommendation of the Commissioner of DEME, the Town Board grants permission David Alvarez to attend the Wastewater Operator Certification Course, Grade 3 Supervision and Technical Operations, in Morrisville, NY, from October 22 – 26, 2018 at a total cost of \$1,536.15 to be charged to Account 8130.441 and 8130.480.

RESOLUTION TO GRANT PERMISSION / MICHAEL WEBER / ATTEND USEPA NORTHEAST PRE-TREATMENT TRAINING

27. **RESOLVED**, that upon the recommendation of the Commissioner of DEME, the Town Board grants permission to Michael Weber to attend the USEPA Northeast Pre-Treatment Training, in Albany NY, from June 26 – 27, 2018, at a total cost of \$445.74 to be charged to Account 8130.441 and 8130.480.

FINANCE

RESOLUTION TO APPROVE / TOWN BUDGET CALENDAR / 2019 BUDGET YEAR

28. **WHEREAS**, Article 8 of the Town Law of the State of New York provides for a budget system for a Town and the Town Board wishes to set up a budget schedule as provided in Article 8 of the Town Law by designating various dates to implement the 2019 budget;

NOW, THEREFORE, BE IT RESOLVED, that the following dates are hereby set as official dates of the Town of Orangetown for the submission and adoption of the budget as required by law:

SEPTEMBER 8, 2018: At the Special Town Board meeting at 8:00 A.M. will take place a 2019 budget hearing will be held at Town Hall, Orangeburg, New York, to include all department heads;

SEPTEMBER 25, 2018: At the RTBM meeting of the Town Board at 7:30 P.M. at Town Hall, Orangeburg, New York, the Town Clerk shall distribute to the Town Board the 2019 Tentative Budget for the Town and publish it on the Town's website:

SEPTEMBER 25, 2018: Schedule a public hearing for October 16, 2018, 8:00 P.M. regarding the Blauvelt Fire District contract.

OCTOBER 16, 2018: Last day for the Town Board to complete review of Tentative Budget and file the Preliminary Budget with the Town Clerk who will publish it on the Town's website:

NOVEMBER 13, 2018: At 8:00 P.M. a public hearing on the Preliminary Budget shall be held at Town Hall, Orangeburg, New York. At the conclusion of the hearing, the Town Board may by resolution adopt a final budget, by either accepting or amending the Preliminary Budget and said budget may become the legally Adopted Budget for the Town of Orangetown for the year commencing January 1, 2019;

NEW BUSINESS

RESOLUTION TO CONDUCT HEARING / EMPLOYEE NO. 1706 / RTBM JUNE 26, 2018 at 7:15PM

29. **WHEREAS,** Employee No. 1706 has been continuously absent from and unable to perform the duties of his position for the Town of Orangetown for a period in excess of one year by reason of a disability,

RESOLVED, that the Town Board will be conducting a hearing, in executive session and with prior notice to the employee and the CSEA, at 7:15 pm on June 26, 2018, and, following such hearing, shall determine whether to terminate Employee No. 1706 pursuant to Section 73 of the Civil Service Law, nunc pro tunc..

RESOLUTION TO DEFUND / ELIMINATE POSITION / INFORMATION SERVICES & RECORDS MANAGEMENT SPECIALIST (Police Department) / JULY 1, 2018

30. **WHEREAS**, the results of a recent review of the Police Department personnel needs revealed that the position of Information Services & Records Management Specialist (Police Department) does not meet the specific needs of the Department,

BE IT RESOLVED, that the position of Information Services & Records Management Specialist (Police Department) is hereby eliminated and defunded from the Police Budget, effective July 1, 2018.

RESOLUTION TO TERMINATE EMPLOYEE NO. 4079 (Police Department) / JUNE 29, 2018

31. **RESOLVED,** that as a result of the elimination of the position of Information Services & Records Management Specialist (Police Department), employee No. 4079 is hereby terminated <u>effective June 29, 2018</u>.

RESOLUTION TO APPROVE AGREEMENT / MASER CONSULTING / DESIGN ANALYSIS / REDEVELOPMENT OF RPC THROUGH INFRASTRUCTURAL IMPROVEMENTS

32. (Place Holder for Town Attorney)

RESOLUTION TO APPROVE / 2018 / STORMWATER II EDUCATION PROGRAM AGREEMENT / ROCKLAND COUNTY CORNELL COOPERATIVE EXTENSION

33. **WHEREAS**, the Town of Orangetown contracts with Rockland County Cornell Cooperative Extension to provide educational services as part of meeting NYS DEC's Minimum Control Measures for Stormwater Phase II Regulations;

BE IT RESOLVED, that the Town or Orangetown hereby authorizes the renewal of Stormwater II Education Program Agreement with Rockland County Cornell Cooperative Extension for 2018 for the period April 1, 2018 through March 31, 2019 in the amount of \$6,800.00

RESOLUTION TO APPROVE PROPOSAL
AGREEMENT / LAND USE LAW CENTER AND
KEVIN DWARKA LLC / PEARL RIVER
DOWNTOWN REVITALIZATION STRATEGY

34. **WHEREAS**, the Town Board, based upon concerns expressed by businesses and residents, is desirous of studying the down town Pearl River area in an effort to address the community's needs and desires with respect to land use and prospective development and revitalization of the area and its effect on the Town, and

WHEREAS, as part of its efforts to study this area for review, the Town has discussed with and received a proposal from the Land Use Law Center of Pace Law School (LULC), in conjunction with Kevin Dwarka, LLC, a Land Use and Economic Consulting entity, and

WHEREAS, LULC has presented a proposal to analyze real estate market trends, document land use opportunities and engage the community on the needs of down town Pearl River, for a total of \$20,000.00 as set forth more fully therein,

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the proposal of the Land Use Law Center (LULC) of Pace Law School and Kevin Dwarka, LLC to provide for an analysis of real estate market trends in the area, document land use opportunities, and engage the community on the needs of down town Pearl River, and provide a final report on a Pearl River Downtown Revitalization Study, which services will be provided at a cost of \$20,000.00 as set forth in their proposal, and

BE IT FURTHER RESOLVED, that the Supervisor or his designee is hereby authorized to enter into a formal written agreement with LULC and Kevin Dwarka, LLC based upon the terms and conditions set forth above, and subject to approval of the Town Attorney's Office, and to sign any documents necessary to effectuate said agreement.

AMEND RESOLUTION NO. 621 / 2017 / OUTSIDE COUNSEL / REGULATION AND LITIGATION OF COMPLIANCE ENVIRONMENTAL AND INDUSTRIAL STANDARDS / CARTER, LEDYARD AND MILLBURN

35. **RESOLVED**, that the Town Board hereby amends resolution no. 621 of 2017 to authorize the hiring of outside counsel to represent the town regarding regulation and litigation of compliance with environmental and industrial standards as per attached proposal from Carter, Ledyard and Millburn, with fees not to exceed \$48,000.

RESOLUTION REGARDING GML REVIEW OF LOCAL LAW RELATIVE TO PLACES OF WORSHIP IN THE VILLAGE OF CHESTNUT RIDGE AS CURRENTLY PROPOSED

36. **WHEREAS**, the Village of Chestnut Ridge is presently considering amendments to their zoning law as regards rules for placement, size, and other requirements for places of worship, particularly within residential neighborhoods, with a public hearing scheduled to be held on June 28th, 2018, and

WHEREAS, the Village of Chestnut Ridge directly borders the hamlet of Pearl River in the Town of Orangetown thus triggering the requirements of NYS General Municipal Law §239nn providing for the Town of Orangetown to have an opportunity to review the zoning amendment and provide any concerns to the Village of Chestnut Ridge, and as recommended by the Rockland County Department of Planning in its letter dated March 26, 2018 as part of its review of the proposed amendments, and

WHEREAS, the Planning Board of the Village of Chestnut Ridge, in a memorandum dated May 29, 2018 has formally stated that "the provisions of the Local Law have the potential to significantly disrupt the peaceful and quiet harmony associated with single family zoning districts and alter single family neighborhoods and impact the quality of life of the residents of the Village ... the associated parking issues, noise, and traffic can severely impact the neighboring single family dwellings," and

WHEREAS, as a neighboring town, the Town of Orangetown shares the concerns expressed by the Planning Board of the Village of Chestnut Ridge,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Orangetown hereby recommends that the Village of Chestnut Ridge review and modify the proposed law to address the concerns raised by the Planning Board of the Village of Chestnut Ridge in its memorandum dated May 29, 2018, and further reiterated herein by the Town Board, particularly with respect to decreasing lot size requirements, parking, and issues related to occupancy limits, as more fully set forth in the Chestnut Ridge Planning Board's memorandum, and be it

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and

directed to send a certified copy of this resolution to the Mayor and Board of Trustees of the Village of Chestnut Ridge; the Planning Board of the Village of Chestnut Ridge and the Rockland County Planning Department.

RESOLUTION TO CREATE POSITION / JR. PUBLIC HEALTH ENGINEER AND ZONING ENFORCEMENT OFFICER

37. **RESOLVED:** Create the position of Junior Public Health Engineer and Zoning Enforcement Officer in the DEME (Department of Environmental Management and Engineering), at a salary of , effective June 27, 2018.

<u>AUDIT</u>

PAY VOUCHERS

38. **RESOLVED**, upon the recommendation of the Finance Director, Jeff Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of five (5) warrants for a total of \$3,660,750.94

ADJOURNMENTS

Julia Regan, Pearl River (Former member of Blue Hill Golf Course Advisory Committee)

39.

PROPOSED AMENDMENTS TO CODE OF THE TOWN OF ORANGETOWN: CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION, §6-5; AND CHAPTER 43, ZONING, §4.1 §4.11, §4.12 AND §4.13-(PERFORMANCE STANDARDS), §10.2 §10.222 (ENFORCEMENT), AND §10.3 §10.323, §10.334 AND §10.335 (BOARD OF APPEALS)

JUNE 5, 2018, REVISIONS (MOST RECENT REVISIONS ARE ITALICIZED)

PROPOSED LOCAL LAW NO. ____ OF 2018, AMENDING:

CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION, § 6-5, OF THE TOWN CODE; AND

CHAPTER 43, *ZONING*, § 4.1 (PERFORMANCE STANDARDS), § 10.2 (*ENFORCEMENT*), AND § 10.3 § 10.323, § 10.334 AND § 10.335 (*BOARD OF APPEALS*);

OF THE ZONING CODE OF THE TOWN OF ORANGETOWN

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1: Purpose.: The Town Board ("Board") of the Town of Orangetown, New York ("Town" or "Orangetown") hereby finds that there is a critical and compelling need, in the public interests as set forth herein, to protect the health, safety and welfare of its residents to ensure that properties do not emit, or cause to be emitted, dangerous or objectionable levels of smoke, particulate matter, and odor odors of such quantity, characteristic or duration which are injurious or objectionable to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. The objective of this local law is to clarify Chapter 43 (Zoning) § 4.1, § 4.163, § 4.164, and § 4.182 § 10.2 and § 10.3 of the Code of the Town of Orangetown ("Orangetown Code"), relating to Performance Standards, particularly, but not limited to, emissions, and to make related enforcement, procedural and administrative changes, including changes to Orangetown Code Chapter 6 (Building Construction Administration).

Section 2: Orangetown Code Chapter 6 (Building Construction Administration), § 6-5, of the Orangetown Code shall be amended, and, as amended shall read as follows:

§ 6-5 Duties and powers of the Building Inspector.

* *

- **B.** HeThe Building Inspector shall receive applications and issue permits for the erection, alteration, removal and demolition of buildings or structures or parts thereof, and shall examine the premises for which such applications have been received or such permits have been issued for the purpose of insuring compliance with laws, ordinances and regulations governing building construction.
- C. He<u>The Building Inspector</u> shall issue all appropriate notices or orders to remove illegal or unsafe conditions, to require the necessary safeguards during construction and to insure compliance during the entire course of construction

with the requirements of such laws, ordinances or regulations. He The Building Inspector shall make all inspections which are necessary or proper for the carrying out of his duties, except that he may accept written reports of inspection from Building Inspectors, or other employees, of the Building Department Town of Orangetown's (hereinafter referred to as "Orangetown") Office of Building, Zoning and Planning Administration and Enforcement (hereinafter referred to as "OBZPAE"), or from generally recognized and authoritative reputable service and inspection bureaus, provided the same are certified prepared and signed by a qualified professional responsible official thereof.

- **D.** Whenever the same may be necessary or appropriate to assure compliance with the provisions of applicable <u>statutes</u>, <u>codes</u>, laws, ordinances or regulations covering relating to building construction, he the Building Inspector may require the performance of tests in the field, or on-site of private property subject of a <u>building permit application</u>, by <u>experienced</u>, <u>qualified</u> professional(s) <u>persons</u>, or by <u>accredited and authoritative reputable</u> testing laboratories, <u>or service</u> bureaus or agencies.
- **E.** Whenever the same may be necessary or appropriate to assure compliance with the provisions of applicable statutes, codes, laws, ordinances or regulations relating to the use, maintenance or occupancy of land or buildings, including, but not limited to, assuring compliance with the Performance Standards set forth in § 4.1 of Chapter 43 (Zoning Code) of the Orangetown Code, and/or to assure compliance with the conditions of any applicable Orangetown land use board approval decisions, the Building Inspector may inspect, investigate and/or conduct tests, on-site of private property subject of a building permit application, which may include, with regard to the Performance Standards, inspecting, investigating and/or conducting tests while all mechanical equipment, machinery, installations and systems, that are appurtenant to the use that is subject to the Performance Standards, are in full operation. For purposes of said inspections, investigations and/or tests, the Building Inspector may engage, employ or retain the services of the Orangetown Department of Environmental Management and Engineering (hereinafter referred to as "DEME"), and/or expert consultants, to the extent, type and/or degree that the Building Inspector, DEME, and/or the expert consultants, deems necessary.
 - (i). If, as a result of the Building Inspector's said inspection, investigation and/or testing, relating to an alleged violation of, or non-compliance with, the Performance Standards (Zoning Code §4.1) on the part of any nonresidential use subject to the Performance Standards (hereinafter referred to as "industrial user"), the Building Inspector has reasonable grounds to believe that a violation, or non-compliance, exists, subject to the provisions of Orangetown Zoning Code §4.182 (as may be applicable), the Building Inspector shall notify the Zoning Board of Appeals of the occurrence or existence of such possible violation, or non-compliance, in accordance with Zoning Code §10.335.

(ii). If, after public hearing on due notice, in accordance with Zoning Code §4.13, the Zoning Board of Appeals finds that a violation, or non-compliance, occurred or exists, and revokes and rescinds its Performance Standards (Zoning Code §4.1) approval decision, then the Building Inspector may revoke and rescind any Building Permit and/or Certificate of Occupancy that had been issued based upon such approval decision.

Section 3: Orangetown Code Chapter 43 (Zoning) §4.1, Performance Standards, shall be amended, and, as amended shall read as follows:

§ 4.1. Performance standards.

All references herein contained to certain standards which indicate a publisher and date are hereby deemed to mean the latest revised edition of such standard. Where a <u>federal</u>, state, county or local agency promulgates standards which are inconsistent with, or different from, those herein enumerated, the more restrictive standards shall control. <u>Unless otherwise stated</u>, all citations to statutory sections ("§") are from Chapter 43, the Zoning Code, of the Code of the Town of Orangetown (hereinafter referred to as "Orangetown" and "Zoning Code").

- 4.11. Applicable to all nonresidential uses. No land or building shall be used or occupied for a nonresidential use in any manner as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; electrical or other disturbance; glare; liquid or solid refuse or wastes; a condition conducive to the breeding of rodents or insects or other substance, condition or element, all referred to herein as "dangerous or objectionable elements," in a manner or amount as to adversely affect the surrounding area. However, any nonresidential use, except those expressly prohibited by this code in §4.4, may be undertaken, and maintained, if it conforms to the district regulations, and the regulations of §4.1, Pperformance standards, limiting dangerous and objectionable elements at the point of determination of their existence as provided in this section§4.1.
- 4.12. Performance standards procedure. Only those uses specified in the Zoning Code Use Table, Columns 2, 3 and 4, as are subject to the performance standards procedure of §10.334, §4.12, are subject to performance standards procedure requiring the Orangetown Zoning Board of Appeals' (hereinafter referred to as "ZBA") approval as specified in §10.334 in obtaining a building permit or certificate of occupancy, or both (hereinafter referred to as "industrial user"), unless the Building Inspector has reasonable grounds to believe that any other proposed use, including any building or use accessory to a use subject to performance standards procedure, is likely to violate performance standards, in which event the applicant industrial user shall comply with the procedure in §10.334 in obtaining a building permit or certificate of occupancy, unless the ZBA Board of Appeals finds that compliance therewith is unnecessary.

- **4.13**. <u>Initial, and c</u>Continued, enforcement provisions. Whether or not compliance with performance standards procedure in §10.334, in obtaining a building permit or certificate of occupancy, is required for any particular use.
 - (a). Hinitial, and continued, compliance with performance standards is required of every new nonresidential use, or change in such use, including, but not limited to, §10.231(c), in all Zoning dDistricts, as provided in §10.335, for all nonresidential uses that are subject to §4.1. Pursuant, but not necessarily limited, to §4.13, §10.334(c) and §10.335, initial, and continued, compliance with the performance standards (§4.1) is required, and all building permits and certificates of occupancy, issued for a use subject to §4.1, is conditioned, and contingent, upon the industrial user conforming to the performance standards, and the industrial user's paying of the fees, to the Town of Orangetown, for services of Orangetown's own expert consultants deemed reasonable and necessary by Orangetown's Department of Environmental Management and Engineering (hereinafter referred to as "DEME"), Orangetown's Office of Building, Zoning and Planning Administration and Enforcement (hereinafter referred to as "OBZPAE"), and/or the ZBA, for said consultants' inspections, investigations, research, studies, tests, advice and/or reports relating to determining compliance with the industrial user's conformance to the performance standards (§4.1).
 - (b). The industrial user's initial, and continued, compliance with the performance standards (§4.1) shall include the following:
 - (i). Inspections, investigations and/or testing, on the industrial user's site, while all mechanical equipment, machinery, installations and systems, that are appurtenant to the use that is subject to the performance standards (§4.1), are in full operation, by OBZPAE, DEME, and/or the Orangetown-retained expert consultants, to the extent, type and/or degree that OBZPAE, DEME, and/or the Orangetown-retained expert consultants, deem necessary.
 - (ii). The industrial user's full, and complete, compliance with any and all laws, statutes, rules and regulations of the NYS Department of Environmental Conservation and federal Environmental Protection Agency, that also regulate the use that is subject to the performance standards (§4.1).
 - (iii). OBZPAE, DEME, and/or the Orangetown-retained expert consultants, shall investigate any alleged violation of, or non-compliance with, the performance standards (§4.1) by the industrial user, as per §4.13(b)(i); and, if there are reasonable grounds to believe that a violation, or non-compliance, exists, OBZPAE, DEME, and/or the Orangetown-retained expert consultant(s), shall notify the ZBA, in writing, of the occurrence, or existence, of a probable violation, or non-compliance, thereof. Upon receiving such notification, the ZBA may further investigate the alleged violation or non-compliance, if the ZBA deems it necessary in its discretion; and, for such further investigation, the ZBA may utilize, or retain, the

services of OBZPAE, DEME, and/or the Orangetown-retained expert consultants. Thereafter, after holding a Public Hearing on due notice, including notice to the industrial user (except for posting of signs at the industrial user's subject site, which signs shall not be required), the fees for which Public Hearing shall be paid for by the industrial user, if the ZBA finds that a violation, or non-compliance, occurred or exists, the ZBA may revoke and rescind its performance standards (§4.1) approval decision, and any building permit and/or certificate of occupancy that has been issued, based upon such approval decision, shall also be deemed revoked and rescinded; which shall be in addition to any other legal remedies that the Town of Orangetown may pursue, including, but not necessarily limited to, prosecution of violations in the Orangetown Justice Court pursuant to §10.2 and/or §10.6, and/or commencement of a civil action or proceeding in the NYS Supreme Court, pursuant to NYS Town Law §135(1) and/or §268(2).

* * *

4.163. Smoke.

- (a). There shall be no emission and/or discharge into the atmosphere at any point from any chimney, stack, vent or otherwise, of visible black, gray or white smoke other than that caused by steam, of a shade darker than No. 1 on the Ringelmann Smoke Chart as published by the United States Bureau of Mines (Power's Micro-Ringelmann Chart, McGraw Hill Publishing Company, 1954, may be used), except that visible gray smoke of a shade not darker than No. 2 on said chart may be emitted for not more than four minutes in any 30 minutes. These provisions, applicable to visible gray smoke, shall also apply to visible smoke of a different color but with an equivalent apparent opacity, or exhibiting greater than 20 percent opacity (6-minute average) per EPA Method 95.
- (b). Exceedance during two consecutive days requires the opacity producer to conduct EPA Method 9 analysis within two business days of occurrence, or evaluate Continuous Opacity Monitoring System(s) (COMS) during the same period. and Aa facility-responsible person must notify the Town within one business day of receiving the assessment results, as well as provide any other credible evidence. The Town will evaluate compliance and determine further action.
- **4.164.** (a). Fly ash, dust, fumes, vapors, gases and other forms of air pollution derived from combustion. There shall be no emission and/or discharge which can any cause damage to the health, to of humans or other animals, or vegetation, buildings or structures, or other forms of property, or which can cause any excessive soiling of any point and in no event any emission from any chimney or otherwise of any solid or liquid particles in concentrations exceeding 0.3 grains per cubic foot of the conveying gas or air at any point. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of 500° F. and 50% excess air. Emissions related to combustion must comply with the standards and regulations set forth in the New York State

Department of Environmental Conservation's 6 NYCRR Subpart 227-1 6 NYCRR Part 227, Stationary Combustion Installations, as amended and/or supplemented from time to time, as applicable.

- 4.164.(b). Ash, dust, fumes, vapors, gases and other forms of air pollution not derived from combustion. There shall be no emission and/or discharge which can cause any damage or injury to the health of humans and other animals, or vegetation, buildings or structures or other forms of property, or which can cause excessive soiling.
 - (c). Emissions of air contaminants to the outdoor atmosphere from any process emission source or emission point are restricted in accordance with the New York State Department of Environmental Conservation's 6 NYCRR Subpart 212 6 NYCRR Part 212, Process Operations, as amended and/or supplemented from time to time, as applicable.

* *

4.181. Noise. At the specified points of measurement,

- <u>(a).</u> The the sound-pressure level of noise radiated continuously from a facility at nighttime shall not exceed the values given in Table I in any octave band of frequency. in order to provide an environment free from noise that affects a reasonable person's people's well-being and or use, enjoyment and or value of property, or that interferes with the a reasonable person's repose of life, or would unreasonably or unnecessarily interfere with public health, safety, and or welfare.
- (b). In the event of noise complaints arising from residents, commercial, or other Town inhabitants, the The sound-pressure level shall be measured with a sound-level meter and an octave band analyzer that conforms to specifications published by the equipment manufacturers, and such standards as published by the American National Standards Institute (ANSI), the American Society for Testing and Material, or other contemporary standards-establishing organization accepted in the United States. by the American Standards Association. (American Standard Sound Level Meters for Measurement of Noise and Other Sounds, Z24.3-1944, American Standards Association, Inc., New York, New York, and American Standard Specification for an Octave Band Filter Set for the Analysis of Noise and Other Sounds, Z24.10-1953, American Standards Association, Inc., New York, New York, shall be used.)
- (c). Unless otherwise resolved with the Town, the owner or operator of the location/source of such elevated, complaint-producing noise, shall prepare and provide a Noise Monitoring Plan to the Town within 10-business days of written notice by the Town, and such Plan shall be implemented within 10-business days of Plan approval by the Town (unless extended by the Town, if the Plan requires the ordering, purchase and/or installation of equipment, but such extension should be no longer than the time period to order, purchase and install such noise mitigation equipment), and the written report of such monitoring shall be provided

to the Town within 10-business days following completion of noise monitoring. Failure to meet noise compliance will result in cessation of the offending noise source until compliance is met. The Noise Monitoring Plan will employ "A-weighting" unless another weighting scale is more appropriate based on industry standards, and shall address:

- (i). The number and location of monitoring sites;
- (ii). The timing and frequency of surveys;
- (iii). Methods and standards to be followed. This will include methods used to identify and remove measurement results for time periods affected by sound associated with any temporary events or activities (such as noise from non-related construction or other activities), and during periods where wind speeds exceed 5 m/s or the rainfall rate exceeds 6 mm/hour; and
- (iv). <u>Timeframes for monitoring and reporting to the Town in the event they</u> are otherwise than stated in this Performance Standard.

TABLE I

Maximum permissible sound-pressure levels at specified points of measurement for noise radiated continuously from a facility between the hours of 10:00 p.m. and 7:00 a.m.

	Sound Pressure Level Decibels "A-weighted" scale (dBA)*
Frequency Band Cycles per second	Re. 0.002 dyne/cm. ²
20-75	69
75-150	54
150-300	47
300-600	41
600-1200	37
1200-2400	34
2400-4800	31
4800-10,000	28

^{* &}quot;A-weighted" scale (dBA) is the filtering of sound measurement to account for the perceived loudness of noise not necessarily correlating with sound levels. Sound level meters set to A-weighting minimize low-frequency noise similar to the human ear, Sound intensity is measured in units of decibels, dB.

TABLE I

Maximum permissible sound-pressure levels at specified points of measurement for noise radiated continuously from a facility between the hours of 10:00 p.m. and 7:00 a.m.

Sound Pressure Level

Decibels

"A-weighted" scale

(dBA)*

Frequency Band Cycles per second

Re. 0.002 dyne/cm.²

If the noise is not smooth and continuous and is not radiated between the hours of 10:00 p.m. and 7:00 a.m., one or more of the corrections in Table II below shall be added to or subtracted from each of the decibel levels given above in Table I.

TABLE II

Type of Operation of Character of Noise	Correction in Decibels
Daytime operation only	Plus 5
Noise source operates less than 20% of any one hour	Plus 5*
Noise source operates less than 5% of any one-hour period	Plus 10*
Noise source operates less than 1% of any one-hour period	Plus 15*
Noise of impulsive character (hammering, etc.)	Minus 5
Noise of periodic character (hum, screech, etc.)	Minus 5

^{*} Apply one of these corrections only.

4.182. Odors. No emission of odorous gases or other odorous matter in such quantities as to be offensive at the specified points of measurement. Any process which may involving the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail. There is hereby established, as a guide in determining such quantities of offensive odors, Table III (Odor Thresholds) in Chapter 5, Air Pollution Abatement Manual, Copyright 1951 by Manufacturing Chemists' Association, Inc., Washington, D.C.

(a). No person, entity or process will emit, or cause or allow to be emitted. There shall be no emission and/or discharge of objectionable odors or other matter present in the ambient air that, by itself, or in combination with other odors, gases or vapors from the same facility, is offensive, foul, unpleasant or repulsive to olfactory reception to a reasonable person of normal sensibilities, beyond the property borders of the emitting source. Odor(s) will be deemed objectionable when documented assessment by the Town, pursuant to the procedures in this section, shows evidence that the odor likely could, or does, cause injury, detriment, nuisance or annoyance to persons or to the public, based on observations of the odor's nature, intensity, duration, location, and level of complaint.

- (b). Upon documented assessment by the Town, pursuant to the procedures in this section, of the existence of an objectionable odor, the Town will notify the odor-producing facility and direct that an Odor Management and Control Plan acceptable to the Town be submitted, to the Town, that outlines the operational cause of the violation objectionable odor, and, if available, chemistry of the offending odor(s); and literature evidence of odor thresholds and impacts, methods proposed to mitigate the problem, and the schedule by which the Plan will be implemented and completed. The Town will review the Odor Management and Control Plan, and either approve it, or request supplemental information from the facility to complete any deficiencies or shortcomings.
- (c). To enforce this Performance Standard, objectionable odors will be considered detected and a violation of this § 4.182 when either:
 - (i). A Town inspector/code enforcement officer <u>detects</u> <u>documents</u> an objectionable odor <u>that</u>, <u>by its nature</u>, <u>intensity</u>, <u>duration</u>, <u>location</u>, <u>and level of complaint</u>, <u>is</u>, <u>at least minimally</u>, <u>a nuisance or annoyance to persons or to the public</u>; or
 - (ii). The Town receives initially five (5) or more complaints from individuals, households or businesses within seven (7) days, or fifteen (15) or more complaints within a 30-day period, and the odor issue is verified by the Town. The Town's odor complaint records will include:
 - (a) Name, address, email and phone number of complainant,-
 - (b) Time and date of submission of complaint to the Town, eall.
 - (c) Description of nuisance odor,
 - (d) Estimated location or source of complaint,
 - (e) If possible, prevailing wind or weather conditions observed, and
 - (f) <u>If OBZPAE or DEME finds noncompliance per above (first bullet),</u> then there shall be deemed noncompliance; and
 - (iii). One (1) volume of the odorous air has been diluted with up to five (5) volumes of odor-free air and the odor is still perceptible, as measured by the Town through the use of *reliable*-olfactometer field instruments, devices, or methods.; *and*
- **Section 4:** Orangetown Code Chapter 43 (Zoning) § 10.2, Enforcement, shall be amended, and, as amended shall read as follows:
- **10.222**. Permits granted only in conformance with regulations.
- <u>A.</u> No permit shall be issued unless the proposed construction of <u>and</u> use <u>is are</u> in full conformity with all the provisions of this <u>Zoning Ceode</u>, and <u>all</u> other applicable <u>land use and/or</u> building <u>statutes</u>, <u>codes</u>, laws, ordinances or regulations. Any permit issued in violation of the provisions

- of this <u>Zoning Ceode</u> shall be null and void, and of no effect, without the necessity of any proceedings for revocation or nullification thereof, and any work undertaken, or use established, pursuant to any such permit shall be unlawful.
- **B.** After the effective date of this Zoning Ceode, division of any parcel of land shall conform to all the applicable bulk regulations, except as permitted under §5.21 of this Ceode.
- **C.** The Inspector may revoke a permit theretofore issued, and approved, in the following instances:
 - (ai) Where he finds that there has been any false statement or misrepresentation as to a material fact in the application, plans, drawings, plat or specifications on which the permit was based;
 - (bii) Wwhere he finds that the permit was issued in error, and should not have been issued in accordance with the applicable law(s);
 - (eiii) <u>Ww</u>here he finds that the work performed under the permit is not being prosecuted conducted in accordance with the provisions of the application, plans, <u>drawings</u>, <u>plat</u> or specifications; or
 - (div) Wwhere the person to whom a permit has been issued fails or refuses to comply with a stop order issued by the Inspector-; or
 - (v) where he finds that the conditions of any applicable Orangetown land use board approval decisions have not been complied with.
- <u>D.</u> Whenever the Inspector has reasonable grounds to believe that work on any <u>land</u>, building or structure is being <u>prosecuted conducted</u> in violation of the provisions of <u>the any</u> applicable <u>land use and/or</u> building <u>statutes</u>, <u>codes</u>, laws, ordinances or regulations, or not in conformity with the provisions of an application, plans, <u>drawings</u>, <u>plat</u> or specifications, or the conditions of any <u>applicable Orangetown land use board approval decisions</u>, on the basis of which a permit was issued, or in an unsafe and dangerous manner, <u>he the Inspector</u> shall notify the owner of the property, or the owner's agent, or the person performing the work, to suspend all work, and any such persons shall forthwith stop such work, and suspend all building activities, until the stop order has been rescinded. Such order and notice shall be in writing, shall state the conditions under which the work may be resumed, and may be served upon a person to whom it is directed either by delivering it personally to him, or by posting the same upon a conspicuous portion of the building under construction and sending a copy of the same by <u>eertified mail U.S. Postal Service First Class Mail</u>.
- E. If, after holding a Public Hearing on due notice, in accordance with Zoning Code §4.13, the Orangetown Zoning Board of Appeals finds that a violation of, or non-compliance with, the Performance Standards (Zoning Code §4.1) occurred or exists, and revokes and rescinds its Performance Standards approval decision, then the Building Inspector may revoke and rescind any Building Permit and/or Certificate of Occupancy that had been issued based upon such approval decision, in accordance with Zoning Code §4.13(b)(iii).
- **Section 5:** Orangetown Code Chapter 43 (Zoning) § 10.3, Board of Appeals, shall be amended, and, as amended shall read as follows:

10.323. Findings and conclusions. After such public hearings, the <u>Orangetown Zoning</u> Board of Appeals (<u>hereinafter referred to as "ZBA"</u>) shall make written findings of fact and conclusions concerning the subject matter of such hearing, including the reasons for the grant or denial of the relief sought. As to any proposed use, such findings of fact and conclusions shall be made concerning such use, as described and represented by the applicant. In addition, the <u>ZBA Board of Appeals</u> shall, in appropriate cases, impose additional conditions and safeguards in granting a special permit or variance, or in approving an application requesting approval of conformance to the performance standards (Zoning Code §4.1), in harmony with the general purpose and intent of this the Zoning eCode, and to ensure that such use is established and maintained in conformity with the special findings, and the additional requirements and conditions, upon which such permit, variance(s) or approval of conformance to performance standards (Zoning Code §4.1), is granted.

* * *

10.334. Permit for a use subject to performance standards procedure.

- (a) Application. An application for a permit for a use subject to performance standards procedure shall be submitted to the Inspector in quadruplicate on a form prescribed by the Zoning Board of Appeals (hereinafter referred to as "ZBA"), which shall include, but not be limited to, a Resume of Operations, on a form prescribed by the ZBA, which shall be prepared, and signed, by a person who is qualified to answer the questions and submit documentation on behalf of the applicant; and shall be referred by the Inspector to the ZBA Board of Appeals. The ZBA may reject the Resume of Operations if the ZBA determines that it has not been prepared, and signed, by a qualified person, regarding which the ZBA may engage or retain expert consultants to advise the ZBA with respect to the qualifications of the preparer/signatory, the fees of which consultants shall be paid by the applicant. The applicant shall also submit in duplicate a plan of the proposed construction or development, including a description of the proposed machinery, operations, and products and specifications for the mechanism and techniques to be used in restricting the emission of dangerous and objectionable elements referred to in §4.1, in accordance with rules prescribed by the ZBA Board specifying the type of information required in such plans and specifications, and an affidavit by the applicant acknowledging his understanding of the applicable performance standards and agreement to conform with same at all times. No applicant will be required to reveal any secret processes, and any information submitted will be treated as confidential, if requested by the applicant. The fee for such application shall include the anticipated estimated costs of the special ZBA's expert consultants' reports required to process it, described in Subsection (b) below.
- (b) Report by expert consultants. The Board of Appeals, iIf there is the ZBA has any reasonable doubt as to the likelihood of conformance to the performance standards, the ZBA shall refer the application, for investigation and report, to one or more expert consultants selected by the ZBA Town Board as qualified to advise as to whether a proposed use will conform to the applicable performance standards specified in §4.1, in accordance with §4.13. The applicant shall be informed of the estimated costs for such investigation and report before such referral is made. Such consultant or consultants shall make such report within 30 days after his or their receipt of such application. A copy of such report shall be promptly furnished to the applicant.

(c) Decision of the Board of Appeals. At the next regular meeting of the ZBA Board of Appeals, but in no event more than 30 62 days after the ZBA Board has received the aforesaid expert consultants' report(s) and after the closing of the Public Hearing, or within such further period as agreed to by the applicant and ZBA, the ZBA Board shall decide whether the proposed use will conform to the applicable performance standards and, on such basis, shall authorize or refuse to authorize the issuance of a permit or certificate of occupancy or require a modification of the proposed plan of construction. Such decision of the ZBA Board shall be in written the form of a written report, which shall be immediately filed in the office of the Orangetown Town Clerk and shall be a public record. Any permit or certificate of occupancy issued by the Inspector shall be conditioned on, among other things, the applicant's completed buildings, structures, and installations, machinery, equipment and appurtenances, in operation, conforming to the applicable performance standards, and the applicant's paying the fees for services of the expert consultant, or consultants, deemed reasonable and necessary by the ZBA Board of Appeals for advice as to whether or not the applicant's completed buildings, structures, and installations, machinery, equipment and appurtenances will, in operation, conform to the applicable performance standards.

10.335. Continued enforcement.

- A. The Inspector shall investigate any alleged violation of, or non-compliance with, the performance standards (Zoning Code §4.1) on the part of any nonresidential use subject to the performance standards (hereinafter referred to as "industrial user"); and, if there are reasonable grounds to believe that a violation, or non-compliance, exists, he the Inspector shall notify the ZBA Board of Appeals of the occurrence or existence of a probable such possible violation or non-compliance thereof. The ZBA Board shall investigate the alleged violation, or non-compliance, in accordance with Zoning Code §4.13, and for such investigation may employ engage or retain qualified experts. If, after public hearing on due notice, in accordance with Zoning Code §4.13, the ZBA Board of Appeals finds that a violation, or non-compliance, occurred or exists, a copy of said findings shall be forwarded to the Inspector; and, in addition thereto, the ZBA may revoke and rescind its performance standards (Zoning Code §4.1) approval decision, and any building permit and/or certificate of occupancy that has been issued, based upon such approval decision, shall also be deemed revoked and rescinded Town Board. The services of any qualified experts, employed retained or engaged by the Town ZBA to investigate and report regarding an alleged advise in establishing a violation of, or non-compliance with, the performance standards, in accordance with Zoning Code §4.13, shall be paid for by the industrial user violator, if a violation, or non-compliance, is proved found by the ZBA, and otherwise by the Town. No new certificate of occupancy shall be issued, as provided in §10-236, unless such charges have been paid to the Town.
- B. (i). Each and every year, beginning on a date that is between eleven and twelve months after the issuance of a certificate of occupancy that was issued pursuant to Zoning Code §4.1, every industrial user shall submit an affidavit to the Inspector, sworn to and signed, under oath, by a qualified professional, attesting that the operations, processes and methods, and the completed buildings, structures, installations, machinery, equipment and appurtenances, that were approved by the ZBA as part of a performance standards application, have not been altered, modified or changed, in any manner whatsoever, other than routine

maintenance. If the Inspector determines that the said affidavit has not been executed by a qualified professional, the Inspector may reject the affidavit, or may engage or retain expert consultants to advise the Inspector with respect to the qualifications of the signatory, the fees of which consultants shall be paid by the industrial user.

(ii). If the operations, processes or methods, or the completed buildings, structures, installations, machinery, equipment or appurtenances, that were approved by the ZBA as part of a performance standards application, have been altered, modified or changed, in any manner whatsoever, other than routine maintenance, then the industrial user shall submit, to the Inspector, a new Resume of Operations, in form and substance as described in §10.334(a); and, in addition, the industrial user shall apply for performance standards approval, as per Zoning Code §4.1, if determined to be necessary by the Inspector. In making such determination, the Inspector may engage or retain expert consultants to advise the Inspector with respect to such alterations, modifications or changes, the fees of which consultants shall be paid by the industrial user.

Section 36: This local law shall become effective immediately upon filing with the *New York State* Secretary of State.



Cost Analysis Auditing Agreement

This agreement is made on the day of JUNE, 2018 – between Business Expense Advisors, with offices at 57 Lafayette Avenue, -Suffern, NY 10901, herein -referred -to as "Business -Expense -Advisors", LLC and Town of Orangetown, -located at 26 Orangeburg Road Orangeburg Road, -Orangeburg, NY, NY 10962 herein referred to as "Town".

Whereas, Town desires to engage Business Expense Advisors, LLC to provide auditing services in an effort to streamline costs throughout the Town Departments Town Departments. In consideration of the mutual

agreements herein contained, the parties agree as follows:

Terms and Conditions

1. Auditing Services

Business Expense Advisors, -LLC in this agreement—will perform a cost analysis audit, which includes contacting vendors of the Town and seeking ways to consolidate, eliminate or reduce costs for services -that are currently -being provided, subject to the constraints of the Town Procurement Policy, the monetary thresholds of the Competitive Bidding Requirements or exceptions thereto, Best Value Purchasing, Piggybacking on certain government contracts, the Town Code and the Town Ethics Code, NYS Town Law and the NYS General Municipal Law.

Business -Expense -Advisors, -LLC has been contracted -to provide -comparative -solutions -of different -programs available -from these -vendors -and present -them to the Town Supervisor with approximate -cost savings.

At Business Expense Advisors, LLC's option, submission of "review of work done" document shall be considered as completion of Business Expense Advisors, LLC's services for this agreement. Business Expense Advisors shall provide the Town Supervisor with a "Review of work"—document along with any documents provideddocuments—byprovided by vendor which will be considered the source documentsource useddocument used in calculating—savingscalculating savings.

The "Review of Work" document shall detail: 1) cost savings analysis; 2)—contact responses to the company/vendor that Business Expense Advisors call or e-mail; 3) Suggestions or commitments that Business Expense Advisors receive from the vendor, which could come in the form of a reduction in price for the same service; 4) suggestions on how to reduce prices based on services the Town pays for that the Town does not use; or 5) new services that accomplish similar tasks at reduced costs 6) Business Expense Advisors thoughts and recommendations; and 7) Pricing concessions that Business Expense Advisors gets in writing will also be attached.

With the exception -of price reductions -for the <u>same_servicesame_featuresservice featuress, no, no</u> changes -will be made -or <u>services_altered_services_alte</u>

presented materials presented at the initial meeting shall outline what outline what vendors the vendors the audit will include.

A detailed list of all vendors shall be provided to the Town Supervisor. This list shall be entitled "Schedule A" and shall be is annexed to this Agreement and made a part hereof. Business Expense Advisors, LLC shall advise of any additional vendors that may be included in the scope of the audit by notification to the Town Supervisor who will confirm such additional vendors. The Town will advise of any other vendors that may be included for negotiation/renegotiation purposes.

The parties hereby agree that Business Expense Advisors has the right to negotiate lower costs in certain agreements of the Town which agreements shall be set forth on Schedule "A" annexed hereto, and as may be modified, hereafter, by the parties in writing by an written amendment to this Agreement.

In the event a new vendor -is identified based on consulting services and/or the suggestions of Business Expense Advisors, and the Town Supervisor authorizes an agreement with said vendor, then -the difference -in savings annualized will be used to determine amount of savings. -Any -savings -identified -through -the efforts of Business Expense Advisors, LLC for TWENTY-FOUR (24) months from the execution -of the agreement with an existing or new vendors shall be billable towards the fee outlined in Section Three of this agreement -as long as the service -level of the existing or new replacement vendor remains -similar -or superior -to the current service -provided to the Town by such vendor as of the date of this agreement.

Before attempting to address any item that will not result in immediate cost savings, Business Expense Advisors must receive specific and written approval from the Town Supervisor, and under no circumstances shall the total spent on hourly compensation for addressing each such item be more than \$\text{sthan ONE HUNDRED SEVENTY-FIVE AND }\text{00/100 (\$175.00) DOLLARS}\$ per hour.

If savings are a result of elimination of service and/or identifiable negotiations that cannot be measured in cost savings then Town will be billed at ONE HUNDRED SEVENTY FIVE AND 00/100 (\$175.00/hr.) DOLLARS per hour for all work as it relates to this savings agreement.

2. Confidentiality

Each party -agrees that at all times -and notwithstanding —any termination or expiration of this agreement it will hold in strict confidence -and not disclose -to any third party -confidential -information of the other, -except -as approved -in writing -by -all parties to this agreement.

3. Fee

The fee for this auditing agreement is agreement is FIFTY (50%) PERCENT of savings found and identified, for all new vendors with whom the Town contracts or for existing vendors with whom the Town acquires increased savings, for the first Twenty Four TWENTY-FOUR (24) months from the date a new or amended agreement is signed by Town. All annual savings will be documented by Business Expense Advisors and submitted to the Town Supervisor monthly for review with contact information ontact information. Savings calculated (which is defined in paragraph 1 Section One of this agreement) is due 30 days from receipt of invoice by the Finance Department which shall issue payment to Business Expense Advisors once the actual savings are realized by the Town.

4. Deposit-WAIVED

5. Guarantees

Business -Expense -Advisors, LLC offers no guarantees to its consulting service recommendations –and makes no warrantees –expressed –or implied –regarding –our ability to resolve, –upgrade –or improve services –through –our recommendations.

6. Governing Law

This agreement shall be governed by and construed in accordance with the laws of the State of New

York. T, Thishis agreement may not be changed or terminated or allyterminated or all the second or all

7. Independent Contractor:

In providing services under this Agreement, it is expressly agreed that Business Expense Advisors, LLC is acting as an independent contractor and not as an employee. All parties acknowledge that this Agreement does not create a partnership or joint venture between them, and is exclusively a contract for service. The Town is not required to pay or make any contributions to any social security, local, state or federal tax, unemployment compensation, workers compensation, insurance premium, profit-sharing, pension or any other employee benefit for Business Expense Advisors during the Term. Business Expense Advisors is responsible for paying, and complying with reporting requirements for all local, state and federal taxes related to payments made to—the them by the Town under this Agreement.

8. NOTICE:

All notices, requests, demands or other communications required or permitted by terms of this Agreement will be given in writing and delivered to the Parties at the following addresses:

- a. Business Expense Advisors, LLC, 57 Lafayette Avenue, Suffern, New York 10901; and
- h
- b. TOWN OF ORANGETOWN, Attn: Supervisor, 26 Orangeburg Road, Orangeburg, New York 10962 with a copy also sent to: TOWN OF ORANGETOWN, Attn: Town Attorney, 26 Orangeburg Road, Orangeburg, New York 10962.

Or to such other address as either Party may from time to time notify the other, and will be deemed to be properly delivered (a) immediately upon being served personally; (b) two days after being deposited with the postal service if served by registered mail; or (c) the following day after being deposited with an overnight courier.

Business Expense Business Advisors Expense Advisors, LLC,	<u>LLC</u>
By:	By:
Member Business Expense Advisors	(61
_	(Signature)
(Print)	(Print)

(Pho	e) (Phone)	
	(E-Mail)	
Business	Expense Business - Advisors Expense Advisors, - LLC, LLC	
By:	_	
Affiliate	(Name of Poin	it of Contact)



TOWN ATTORNEY'S OFFICE

INTER-OFFICE MEMORANDUM

DATE: May 25, 2018

TO: Charlotte Madigan, Town Clerk (with originals)

cc: Town Board Members (w/o encl.)

Kimberly Allen, Administrative Secretary to the Supervisor (w/o encl.)

Ellie Fordham, Secretarial Assistant II, DEME (w/o encl.)

FROM: Dennis D. Michaels, Deputy Town Attorney

RE: Certificate of Plumbing Registration (Sewer Work) 2018

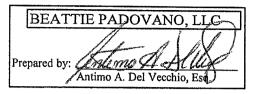
The following applicant is qualified, pursuant to the qualification certificate received from Joe Moran, P.E., Commissioner of the Department of Environmental Management and Engineering (original attached), and the bond and insurance certificates having been reviewed and approved (originals attached), from a legal standpoint, by the Office of the Town Attorney.

Cioffi 1, Inc. 27 Skyline Drive Thiells, NY 10984 Tel.: 845-429-7711

This Certificate of Registration request will be placed on the next Workshop agenda scheduled for June 5, 2018 and the Regular Town Board Meeting agenda scheduled for June 25, 2018. Should you have any questions, please do not hesitate to contact this Office.

/mf encl.

Record and Return to:
Antimo A. Del Vecchio, Esq.
Beattie Padovano, LLC
50 Chestnut Ridge Road
Montvale, New Jersey 07645
(201) 573-1810



DEED OF DEDICATION

Block 1, Part of Lot 24, Section 77.15 Town of Orangetown, New York (Right-of-Way Dedication)

This Deed of Dedication is made on September 8, 2017

BETWEEN: LANDMARK TAPPAN, LLC, a New Jersey Limited Liability Company having

offices at 392 Main Street, Wyckoff, New Jersey 07481, hereinafter collectively

referred to as the "Grantor",

AND:

TOWN OF ORANGETOWN, having offices at Town Hall, 26 West Orangeburg Road, Orangetown, New York 10962, hereinafter referred to as the "Grantee."

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

Transfer of Ownership. That for and in consideration of less than One (\$1.00) Dollar by the Grantee to the Grantor in hand paid, receipt whereof is hereby acknowledged, the Grantor does hereby give, grant, sell and convey unto the Grantee, its successors and assigns the portion of real estate described herein for road widening including the installation of utilities and sidewalks.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Town of Orangetown, formally designated as Block 1, Lot 24, Section 77.15.

Property. The Property consists of the land and all building and structures on the land as they currently exist, as described below, in the Town of Orangetown, County of Rockland and State of New York. This dedication is made pursuant to action taken by the Orangetown Planning Board in connection with the re-subdivision of the Property. The legal description of the land for this Road Widening/Right of Way Dedication is granted as described in **Exhibit "A"** attached hereto and made a part hereof.

SWIS CODE 392489 SECTION 77.15 BLOCK 1 LOT 24 SUBJECT to covenants, easements and restrictions of record affecting said Property, sub-surface conditions, all governmental laws, ordinances and regulations regarding the use of said Property and any and all facts which would be disclosed by a complete and accurate survey and title search.

Signatures. The Grantor signs this Deed as of the date at the top of the first page. If the Grantor is a corporation, this Deed is signed and attested by its proper corporate officers and its corporate seal is affixed.

Witnessed by:

LANDMARK TAPPAN, LLC

BY: Name: Thomas Tourso

Title: Managing Member

ACKNOWLEDGMENT

STATE OF NEW JERSEY)
) SS:
COUNTY OF BERGEN)

On the day of September in the year 2017, before me personally appeared Thomas Tourso, known to me to be the person who executed the foregoing instrument, who, being duly sworn by me did depose and say that he is a duly authorized member of Landmark Tappan, LLC, the limited liability company described in said instrument; that he is authorized to execute the foregoing instrument on behalf of the limited liability company for purposes set forth therein; and that, pursuant to that authority, he executed the foregoing instrument in the name of and on behalf of said limited liability company as the act and deed of said limited liability company.

Thomas Tourso

Sworn and subscribed to before me this 8 day of

KYLE C. STAR
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50055456
My Commission Expires 2/23/2022

2



171 Church Lane North Brunswick, NJ 08902 Tele: 732-422-6700 Fax: 732-940-8786 www.gallassurvey.com

> NOVEMBER 16, 2015 GSG PROJECT NO. G13165

METES & BOUNDS DESCRIPTION

PROPOSED RIGHT OF WAY DEDICATION TO THE TOWN OF ORANGETOWN,
PART OF LOT 24, BLOCK 1, SECTION 77.15
TAPPAN (TOWN OF ORANGETOWN)
ROCKLAND COUNTY, STATE OF NEW YORK

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 LINE OF OAK TREE ROAD, WHERE THE SAME IS INTERSECTED BY A NEW LINE DIVIDING LOT 25 AND LOT 24, BLOCK 1, SECTION 77.15, SAID POINT BEING DISTANT THE FOLLOWING COURSES FROM THE SOUTHERLY END OF A LINE CONNECTING SAID WESTERLY LINE OF OAK TREE ROAD WITH THE SOUTHEASTERLY LINE OF NEW YORK STATE HIGHWAY ROUTE 303:

- A) SOUTH 43 DEGREES 45 MINUTES 00 SECONDS EAST, A DISTANCE OF 192.72 FEET TO A POINT, THENCE;
- B) NORTH 46 DÉGREES 15 MINUTES 00 SECONDS EAST, A DISTANCE OF 9.30 FEET TO A POINT, THENCE;
- C) SOUTH 43 DEGREES 45 MINUTES 00 SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE POINT AND PLACE OF BEGINNING AND FROM SAID BEGINNING POINT RUNNING, THENCE;
- 1. ALONG A LINE DIVIDING NEW LOT 24 AND NEW LOT 25, BLOCK 1, SECTION 77.15, SOUTH 46 DEGREES 15 MINUTES 00 SECONDS WEST, A DISTANCE OF 9.30 FEET TO A POINT, THENCE;
- 2. ALONG THE NEW WESTERLY LINE OF OAK TREE ROAD, NORTH 43 DEGREES 45 MINUTES 00 SECONDS WEST, A DISTANCE OF 50.00 FEET TO A POINT, THENCE;
- 3. ALONG THE FORMER DIVIDING LINE OF LOT 24 AND LOT 25, BLOCK 1, SECTION 77.15, NOW DELETED, NORTH 46 DEGREES 15 MINUTES 00 SECONDS EAST, A DISTANCE OF 9.30 FEET TO THE FORMER WESTERLY LINE OF OAK TREE ROAD, THENCE;
- 4. CONTINUING ALONG SAID FORMER WESTERLY LINE OF OAK TREE ROAD, SOUTH 43 DEGREES 45 MINUTES 00 SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE POINT AND PLACE OF BEGINNING.

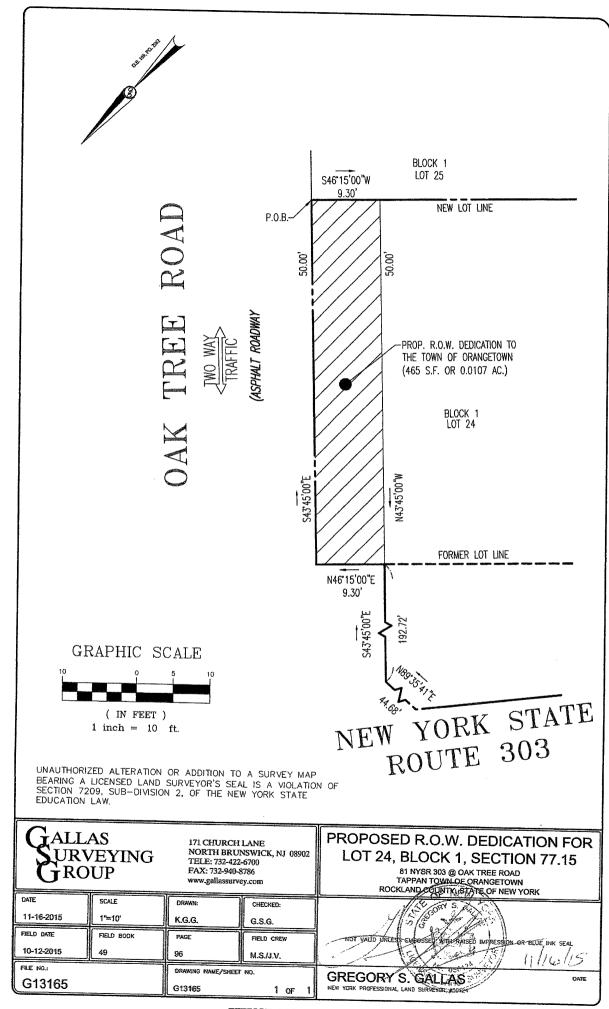
CONTAINING 465 SQUARE FEET OR 0.0107 ACRE

GALLAS SURVEYING GROUP

11/16/15 DATE

GREGORY S. GALLAS STATE OF NEW YORK

PROFESSIONAL LAND SURVEYOR NO. 50124



Record and Return to:
Antimo A. Del Vecchio, Esq.
Beattie Padovano, LLC
50 Chestnut Ridge Road
Montvale, New Jersey 07645
(201) 573-1810

Prepared by: Antimo A. Del Vecchio, Esq

NON-EXCLUSIVE DEED OF EASEMENT FOR BUS SHELTER

This Deed of Dedication is made on Sydemiser 3, 2017

BETWEEN: LANDMARK TAPPAN, LLC, a New Jersey Limited Liability Company having offices at 392 Main Street, Wyckoff, New Jersey 07481, hereinafter collectively referred to as the "Grantor",

AND: TOWN OF ORANGETOWN, having offices at Town Hall, 26 West Orangeburg Road, Orangetown, New York 10962, hereinafter referred to as the "Grantee."

1. Grant of Easement

- A. <u>Perpetual Rights.</u> The Grantor grants to the Grantee a perpetual non-exclusive bus shelter easement (herein "Easement") through, over, upon, under, in and across the property described in metes and bounds as set forth in **Exhibit "A"** annexed hereto (herein the "Easement Area").
- B. <u>Purpose of Easement</u>. This Easement shall be solely for the construction, maintenance, repair and use of the Easement Area for a single bus shelter not exceeding ten (10) feet in height (hereinafter the "Facilities") with the perpetual

SWIS CODE 392489 SECTION 77.15 BLOCK 1 LOT 24

- right to construct, reconstruct, operate, inspect, protect, repair or replace all Facilities constructed within the Easement Area.
- 2. <u>Consideration.</u> This Deed is made for valuable consideration of \$1.00 Dollar(s), the receipt and sufficiency of which are hereby acknowledged by Grantor.
- 3. <u>Tax Map Reference.</u> (N.J.S.A. 46:15-2.1) Town of Orangetown, formally designated as Block 1, Lot 24, Section 77.15.

4. Property.

- A. The Property consists of the land and all building and structures on the land as they currently exist, as described below, in the Town of Orangetown, County of Rockland and State of New York. This dedication is made pursuant to action taken by the Orangetown Planning Board in connection with the re-subdivision of the Property. The legal description of the land for this Non-Exclusive Bus Shelter Easement is granted as described in **Exhibit "A"** attached hereto and made a part hereof.
- B. Subject to covenants, easements and restrictions of record affecting said Property, sub-surface conditions, all governmental laws, ordinances and regulations regarding the use of said Property and any and all facts which would be disclosed by a complete and accurate survey and title search.
- 5. <u>Conditions.</u> This Easement is subject to the following terms, conditions and limitations:
 - A. The Grantee, its servants, employees and agents shall exercise their best efforts to minimize any disturbance or negative impact upon Grantor and its tenants.

- B. The grant of this Easement is conditioned upon Grantee's prompt and complete repair of any damage to Grantor's real property and/or improvements occasioned by any entry and/or activity pursuant to this Easement and to the prompt and complete restoration of Grantor's property, at Grantee's sole cost and expense, to the same condition prior to entry.
- C. Grantee shall indemnify, defend and hold harmless Grantor and its tenants, employees, members, officers, representatives, agents and affiliates from and against any loss, costs, claims or liabilities arising in connection with the Easement, the Easement Area, the Facilities and/or any use or misuse thereof by Grantee, its agents, employees, representatives or affiliates, or any third party. Grantee represents and covenants that this has and will continue to maintain reasonable and adequate insurance coverage in connection with the above indemnity.

6. Maintenance.

- A. Grantee shall be responsible, at its sole cost and expense, for the construction, repair, maintenance, replacement and reconstruction of all "Facilities" that it constructs in the Easement Area. In the event Grantee shall wish to perform any maintenance or repair, other than usual and customary maintenance, Grantee shall provide reasonable prior written notice to Grantor.
- B. Grantee shall maintain and repair the sidewalks, handicapped ramps and grass and/or landscape areas, if any, in the Easement Area, and keep same in good condition, at the sole cost and expense of the Grantee.

- 7. Who is Bound. The terms and conditions of this Deed are legally binding upon the Parties and shall inure to the benefit of the respective successors and/or assigns of Grantor and Grantee.
- 8. Modification of Deed. Any modification of this Deed or additional obligation assumed by either party in connection with this Deed shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.

Attest:

Date:

LANDMARK TAPPAN, LLC

7/8/17

Name: Thomas Tourso Title: Managing Member

ACKNOWLEDGMENT

BY:

STATE OF NEW JERSEY)
) SS:
COUNTY OF BERGEN)

On the day of Scyling in the year 2017, before me personally appeared Thomas Tourso, known to me to be the person who executed the foregoing instrument, who, being duly sworn by me did depose and say that he is a duly authorized member of Landmark Tappan, LLC, the limited liability company described in said instrument; that he is authorized to execute the foregoing instrument on behalf of the limited liability company for purposes set forth therein; and that, pursuant to that authority, he executed the foregoing instrument in the name of and on behalf of said limited liability company as the act and deed of said limited liability company.

Thomas Tourso

Sworn and subscribed to before me this \(\gamma \) day of

Septenson, 2017

KYLE C. STAK ARY PUBLIC OF NEW JERSEY Comm. # 50055456

My Germission Expires 2/23/2022

4



2865 U.S. Route 1 North Brunswick, NJ 08902 Tele: 732-422-6700

Fax: 732-940-8786 www.gallassurvey.com

November 17, 2015 Revised: November 14, 2016 GSG PROJECT NO. G13165

METES & BOUNDS DESCRIPTION

PROPOSED SHELTER EASEMENT PART OF LOT 24, BLOCK 1, SECTION 77.15 TAPPAN (TOWN OF ORANGETOWN) ROCKLAND COUNTY, STATE OF NEW YORK

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 LINE OF OAK TREE ROAD, SAID POINT BEING DISTANT SOUTH 43 DEGREES - 45 MINUTES - 00 SECONDS EAST, A DISTANCE OF 55.90 FEET FROM THE SOUTHERLY END OF A LINE CONNECTING THE WESTERLY LINE OF OAK TREE ROAD WITH THE SOUTHEASTERLY LINE OF NEW YORK STATE HIGHWAY ROUTE 303 AND FROM SAID BEGINNING POINT RUNNING, THENCE:

- 1. ALONG SAID WESTERLY LINE OF OAK TREE ROAD, SOUTH 43 DEGREES 45 MINUTES 00 SECONDS EAST, A DISTANCE OF 12.00 FEET TO A POINT, THENCE; RUNNING THROUGH LOT 24 THE FOLLOWING THREE COURSES:
- 2. SOUTH 46 DEGREES 15 MINUTES 00 SECONDS WEST, A DISTANCE OF 4.00 FEET TO A POINT, THENCE;
- 3. NORTH 43 DEGREES 45 MINUTES 00 SECONDS WEST, A DISTANCE OF 12.00 FEET TO A POINT, THENCE:
- 4. $NORTH\ 46\ DEGREES\ -\ 15\ MINUTES\ -\ 00\ SECONDS\ EAST, A\ DISTANCE\ OF\ 4.00\ FEET\ TO\ THE\ POINT$ AND PLACE OF BEGINNING.

CONTAINING 48 SQUARE FEET OR 0.0011 ACRE

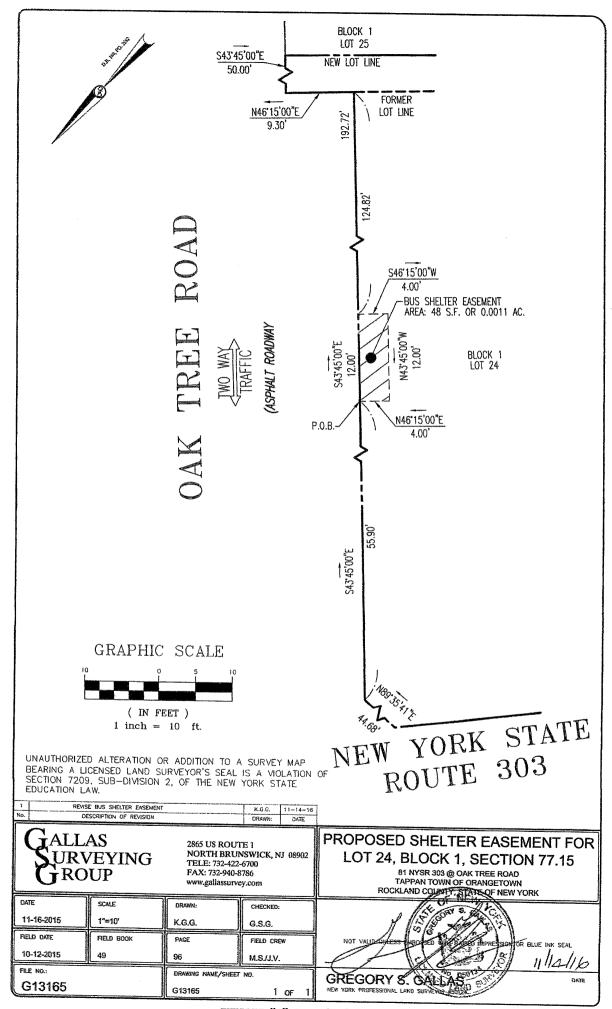
GALLAS SURVEYING GROUP

GREGORY S. GALLAS STATE OF NEW YORK

11/14/16 DATE

PROFESSIONAL LAND SURVEYOR NO. 50124

GSG/je S:\Surveys\2013\G13165\ProposedEasements\PROPOSED SHELTER EASEMENT DESCRIPTION.docx



A LOCAL LAW TO AMEND Chapter 43 the Code of the Town of Orangetown to Amend Article X Administration and Enforcement of the Town Code and Chapter 21A of the Town Code

LOCAL LAW NO.___OF 2018 OF THE INCORPORATED TOWN OF ORANGETOWN, NEW YORK TOWN BOARD TO AMEND THE TOWN CODE WITH RESPECT TO INTERNAL COMMERCIAL SUBDIVISIONS

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

Section 1.

As amended, <u>Additions are underlined</u>, <u>Deletions are stricken</u>. Article X of Chapter 43 of the Town Code is amended as follows:

Article X Administration and Enforcement

§10.4 Town Board Approval

§10.42 Subdivisions. In any district no tract, lot, piece or parcel of land may be subdivided, nor shall any permit be issued for the erection of a structure upon any subdivided tract, lot piece or parcel of land, unless a map or plan of such subdivision is submitted to and approved by the Planning Board in accordance with the subdivision regulations of the Town. Where a commercial structure erected or to be erected is to be divided into two or more units which division results in a change of use or an increase in existing parking needs, each unit shall be considered a separate structure and subject to review as provided for in this section. Where there is no change of use or increase in parking needs, no such Planning Board review shall be required for the division of units in a commercial structure.

Section 2.

As amended, <u>Additions are underlined</u>, <u>Deletions are stricken</u>. Section 21A-4 of Chapter 21A of the Town Code is amended as follows:

§21A-4 Site development plan approval required.

<u>A.</u> No building permit or certificate of occupancy shall be issued, other than for a single- or two-family residence and structures accessory thereto, except for a building or use that is in conformity with a site development plan approved by the Planning Board.

- B. Approval of a site plan by the Planning Board is required for the development or redevelopment of any property or structure for a new use, the expansion or relocation of any existing use, or a change of use. A change of use of a building, structure or lot is interpreted for purposes of this Code as:
 - 1) A change that results in a difference in the numerical listing or the use column (Uses Permitted by Right, Uses by Special Permit, Conditional Uses, General Accessory Uses) for all uses as set forth in Chapter 43, §3.11, Table of General Use Regulations.
 - 2) A change in the off-street parking requirements for a use as specified in Chapter 43, §3.11 Table of General Use Regulations.

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 4. Effective Date.

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

TOWN OF OKANGETOWN

SPECIAL USE PERMIT FOR USE OF TOWN PROPERTY/JTEMS, 2 f

 PHONE # 845 623 2041 CELL# 845521 6993 FAX#	ADDRESS: 7041 EUN DRIVE MpinET NY 10954	HIGHWAY DEPARTMENT NAME: FOR RUSE EULY Code 2041	MINAME ELKS Forlers Day RODD RACE	18 07
	Orangetown Police Department	MAY 31 2018		

Sponsored by: Fear Rwon

1402 entre

Telephone #: 845-623-264/

Wowst

アノ

hs601

0

vehicles

845-5210493

Location of event:

Address: 2041 ELLA DR.

Estimated # of persons participating in event:

The above event will be held on 6/17/18 from 8:30 pc 7:30 pc rain date.

Rokas in or superior of event.

CHECK ONE: PARADE

RACE/RUN/WALK_

OTHER

Signature of Applicant: The Date: 5/22/8 Signature of Applicant: The Date: 5/22/8 Service of Request to Town Board requirements and for event-Received On: 5/23/8 Certificate of Insurance-Received On: 5/23/8 Certificate of Insurance-Received On: 5/23/8 Food describe Permit(*) N - Received On: 5/23/8 Road describe Permit(*) N - Received On: 5/23/8 Route/Nap/Parking Purt(*) N - Received On: 5/23/8 Route/Nap/Parking Purt(*) N - Received On: 5/23/8 Route/Nap/Parking Purt(*) N - Received On: 5/23/8 APPROVED: Superintendent of Highways FOR DATE: 5/23/8 APPROVED: Superintendent of Parks & Recreation BOR POLICE DEPARTMENT USE DNIX: Folice Department USE DNIX: Workshop Agenda Date: 6/5/18 Approved On: 18R Highway Department to be placed on the Town Board Workshop**	Person (s) responsible for restoring property to its original condition: Name-Address-Phone #:
--	--

JAMES J. DEAN

Superintendent of Highways

Roadma ter II

Orangetown Representative
R.C. Soil & Water Conservation DisLONAN OF ORANGETOV
Member:
HIGHWAY DEPARTMENT
American Public Works Association NY Metro Chapter
NYS Association of Town Superintendents of Highways
NYS Association of Rockland Coutny

RECEIVED



TOWN OF ORANGETOWN HIGHWAY DEPARTMEN'I

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

ROAD CHOSING PERMIT APPLICATION

Section 139 Highway Law

PLEASE PROVIDE A DETAILED MAPANE DESCRIPTION OF DETOUR IF TRAVEL WILL BE RESTRICTED. PRELIMINARY APPROVAL JAMES J. DEAN DATE 5.23.18	DATE OF CLOSING S:30 pm - 6/17/18 RAIN DATE WOLL BE CLOSED 8:30 pm RAIN DATE WOLL ROAD BE OPEN TO LOCAL TRAFFIC? 44 WILL ROAD BE OPEN TO EMERGENCY VEHICLES? 44	Sec Drawy Attacked (Intersecting streets and/or description of exact location) REASON FOR CLOSING Failur Doj 4 K ROAD RACE	ABOVE MENTIONED PARTY REQUESTS PERMISSION TO CLOSE: Rd. UILLA FREED - MINDLE FOR TOWN - MINDLE FOR HIGH O'SW (Address number and name of road)	TELEPHONE 845-623-2041 / 845-521 0493 (INCLUE 24 HOUR EMERGENCY NUMBERS)	NAME EUKS FOTLERS DON ROAD RACE DATE 5/22/18 COMPANY FRANC RIVER EURS LOGE 2041
--	---	--	--	--	---

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.

RECEIVED

MAY 23 2018

TOWN OF ORANGETOWN HIGHWAY DEPARTMENT



ul River Lodge No. 2041

8-59-21

BENEVOLENT AND PROTECTIVE ORDER OF ELKS

2041, Elks Drive Nanuet, New York 10954

Members of the Town Board

5-22-18

Town of Orangetown

Members of the Orangetown Highway Department RE: Fathers Day Road Race on 6-17-18

Premises to use Roads Partial Road Closing

Clarkstown. The race run for 37 years covers both towns for the 4k event. Orangetown Roads. Clarkstown PD will provide the same assistance on the roads that reside in No Highway Department assistance needed. Only the PD and their Auxiliary to guide runners on The Pearl River Elks request assistance to hold our annual Fathers day road race on 6-17-18 at 8:30am.

Sincerely,

Joseph Smith

L Smile 40480

Lodge Trustee Race Director



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 05/12/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If the policy is a policy of the policy is a policy of the policy in the policy of the policy of the policy is an additional provision.

SUBROGATION IS WAIVED, subject rights to	SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this partificate holder in lieu of such endorsement(s)	oolicy, certair	າ policies may require an end າ	lorsement.	A stateme	ent on this
PRODUCER		CONTACT NAME	CONTACT NAME: Mass Merchandising Underwriting	iting		
&K Insurance Group, Inc.		PHONE (A/C, No, Ext):	800-426-2889	ģ.	260-459-5105	5
1712 Magnavox vvay	14 9 9 3640	E-MAIL ADDRESS:	info@sportsinsurance-kk.com	1		
		PRODUCER CUSTOMER ID:				
7	TOWN OF OPANICES.		INSURER(S) AFFORDING COVERAGE	GE		NAIC#
NSURED	HIGHWAY DEBARTACIOWIN	INSURER A:	Nationwide Mutual Insurance Company	Company		23787
Lodge 2041	DEFECTIVENT	INSURER B:				
S Brookhill Drive	·	INSURER C:			,	
A Member of the Sports, Leisure & Entertainment RPG	tertainment RPG	INSURER D:				
		INSURER E:				
		INSURER F:				
COVERAGES	CERTIFICATE NUMBER: W01228972	MBER: W012	28972	뀨	REVISION NUMBER:	UMBER:
THIS IS TO CERTIFY THAT THE POLICIE	THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR	EN ISSUED TO	THE INSURED NAMED ABOVE FO	OR THE POLIC	Y PERIOD	THE POLICY PERIOD INDICATED.

NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES, LIMITS SHOWN MAY HAVE BEDIED BY PAID CLAIMS.

INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES, LIMITS SHOWN MAY HAVE BEDIED BY PAID CLAIMS.

POLICY EXP POLICY ⋗ AUTOMOBILE LIABILITY GEN'L AGGREGATE LIMIT APPLIES PER: MEDICAL PAYMENTS FOR PARTICIPANTS If yes, describe under DESCRIPTION OF OPERATIONS below EXCLUDED? (Mandatory in NH) ANY PROPRIETOR/PARTNER/ EXECUTIVE OFFICER/MEMBER EMPLOYERS' LIABILITY DED AUTOS ONLY OTHER: POLICY EXCESS LIAB UMBRELLA LIAB NOT PROVIDED WHILE IN HAWAII OWNED AUTOS ANY AUTO CLAIMS-MADE RETENTION JECT PROP X OCCUR TION AND SCHEDULED AUTOS NON-OWNED AUTOS ONLY CLAIMS-MADE OCCUR 8 N/ 6BRPG0000006055900 POLICY EFF (MM/DD/YYYY) 06/17/2018 12:01 AM EDT 06/17/2018 12:01 AM EDT 06/18/2018 12:01 AM 06/18/2018 12:01 AM DAMAGE TO RENTED PREMISES (Ea Occurrence) EXCESS MEDICAL PRIMARY MEDICAL E.L. EACH ACCIDENT AGGREGATE PROPERTY DAMAGE (Per accident) BODILY INJURY (Per accident) BODILY INJURY (Per person) LEGAL LIAB TO PARTICIPANTS PRODUCTS - COMP/OP AGG GENERAL AGGREGATE PERSONAL & ADV INJURY MED EXP (Any one person) E.L. DISEASE - POLICY LIMIT E.L. DISEASE — EA EMPLOYEE PROFESSIONAL LIABILITY SACH OCCURRENCE DIMBINED SINGLE LIMIT STATUTE OTHER \$1,000,000 \$1,000,000 \$1,000,000 \$5,000,000 \$1,000,000 \$25,000 \$5,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space

Legal Liability to Participants (LLP) limit is a per occurrence limit.

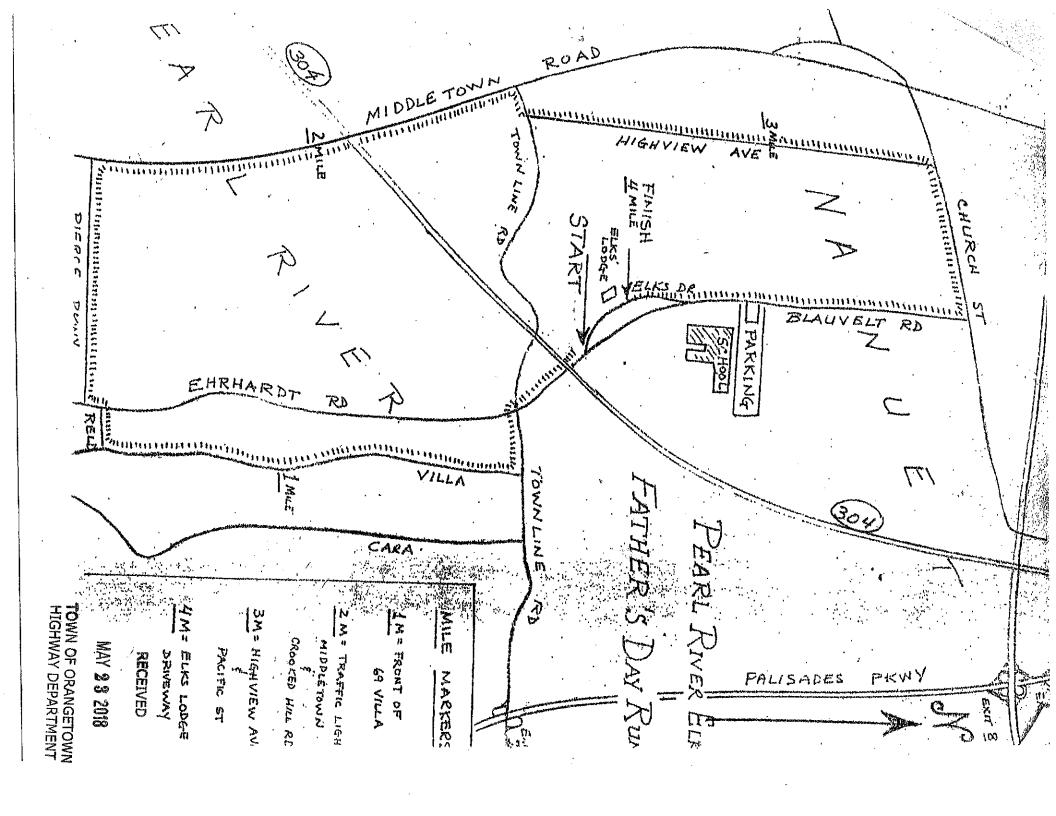
Event Name: Pearl River Elks Fathers Day Road Race Type of Event: Walk and Run Distance:5K

Event Date (including ancillary events and set-up/tear-down): 6/17/2018 to 6/17/2018 Number of Participants: 110 Event Location: Pearl River Elks Lodge 2041 2041 Elks Drive, Nanuet

The certificate holder is added as an additional insured, but only for liability caused, in whole or in part, by the acts or omissions of the named insured

	(Owner/Lessor of Premises)	26 West Orangeburg Road Orangeburg NY 10962	Town of Orangetown	CERTIFICATE HOLDER
Ret him	AUTHORIZED REPRESENTATIVE	THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE	CANCELLATION

Coverage is only extended to U.S. events and activities. ** NOTICE TO TEXAS INSUREDS: The Insurer for the purchasing group may not be subject to all the insurance laws and regulations of the State of Texas



PEARL RIVER ELKS 4 MILE RUN

START On Biguveit Rd. Just N of Rt. 304 overpass. 9.5°N of driveway to house # 95 and 31.6°S of telephone utility box, which are on W side of road.

FINSH On Elks Drive at Pearl River Elks Lodge. of building, which is on W side of road. Even with flag pole near NE comer

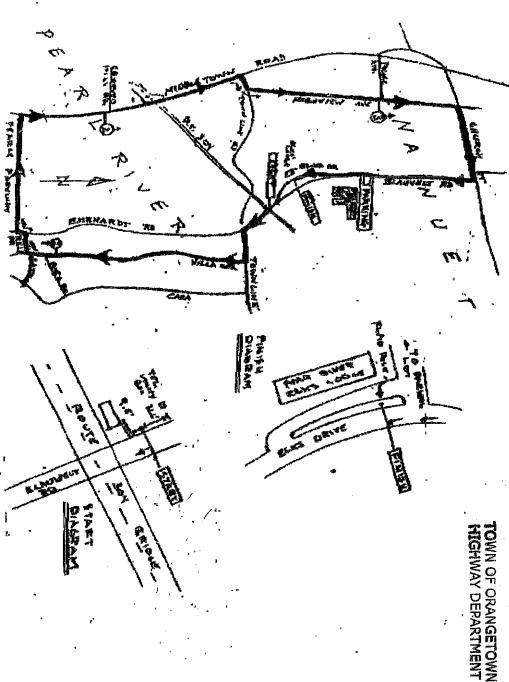
The following marks are given relative to running direction

On Villa Rd. just before Pinto Rd. Even with front door to house # 72, which is on left.

2 MILE: On Middletown Rd. Just before Crooked Hill Rd., 16' past utility pole 58828/39006,

which is on right.

3 MILE: On Highview Ave. just before Pacific Ave.. 2' past utility pole O.&R.U. INC 178, which is on left.



RECEIVED

JAMES J. DEAN

Superintendent of Highways Roadmaster II

Orangetown Representative

R.C. Soil & Water Conservation Dist.-Chairman

American Public Works Association NY Metro Chapter NYS Association of Town Superintendents of Highways Hwy. 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

Memorandum

Date: 5/30/18

To: Town Board

From: James J. Dean, Superintendent of Highways

RE. Bid Award - Variable Message Boards <

Please be advised it is my recommendation that the bid referenced above be awarded to Glenco Supply, Inc, Oakhurst, New Jersey, the lowest qualified bidder to meet specifications, in the amount of \$36,062.86..

If you have any questions regarding this bid award, please contact me.

굿.

TWO (2) NEW TRAILER MOUNTED VARIABLE MESSAGE BOARDS ME 11:00AM DA OF A STANCE MOUNTED OF A
51218 S128
111, 140
\$ 12440.00 \$ 14500.00 \$ \$ \$ \$ \$ \$ \$ \$ \$
\$ 600.00) \$ 1200.000 \$ 1200.00 \$ '1
345.9 87 345.9 87 77
COST EACH \$ / 000 - 00 \$ / 000 - 00 TOTAL COST \$ 2000 - 0) \$ '' Alignment Sight / Quantity 2 \$ / 000 \$ / 000 COST EACH \$ / 000 \$ / 000
\$ 1600.00 \$ 1400.00 \$ 1600.00 \$ 2800.00
\$ 0 \$ meluar \$ 0 \$:1
COST EACH S C S CO. C. COST COST COST COST COST S CO. COST S CO. COST S
\$ 0 \$ 12clubech
\$ C \$ SINCHORDY \$ C \$ "" \$35330.00 \$35/40.00 NEME ANDERVISOR 7

EM	TWO (2	TWO (2) NEW TRAILER MOUNTED VARIABLE MESSAGE BOARDS	ILER MOU	NTED	SHEET	10F1
BID OPENING TIME	ME	11:00AM		DATE	May 3, 2018	∞
CONTRACTOR NAME & ADDRESS	The total way of the state of t	37 To 160				
DATE RECEIVED	4/30/18					
NON COLLUSION STATEMENT BID BOND of	1 × × ×					
New Trailer Mounted Variable Message Board / Quantity 2	able Message B	oard / Quantit	y 2			
COST EACH TOTAL COST	\$14325,00 \$7860,00	↔ ↔	69 69	89 84	\$ ₹	
Modem / Quantity 2			}	÷)	
COST EACH TOTAL COST	\$ 70.55.00 \$ 70.00,00	↔ ↔	⇔ €	€ €	€9 €	
Smart Phone Handheld Options / Quantity 2	tions / Quantity		÷	÷ .	9	
TOTAL COST	\$ 45.8	A 6A	A G	× ×	↔ &:	
Radar with Data Collection	/ Quanti					
TOTAL COST	\$ 352.9	↔ ∀	es e		8	
ranty / Quan	<u>.</u> [∄]		9	9	9	
COST EACH	8. C. S. S. S.	⇔ €	€ €	€9.	↔	
Alignment Sight / Quantity	2 (30) e			∞	€>	X
COST EACH	احا	\$	€	€\$	\$	
TOTAL COST \$ >> 0.	\$ 220.00		•	\$	\$	X
COST EACH	(6.5) (8)		£	€⁄3	₹	
	€>	\$	\$	\$	• •	
Electromechanical Lift / Qu	antity 2		-	€		
TOTAL COST	11 INDERA	9 69	9 69	e e	A 4	
3" Pintle Hitch / Quantity 2	(1,027.2)		5	. 6	· •	
TOTAL COST	7	• • •	e e>	A	A 60	
Vandel Box / Quantity 2	1 1					
COST EACH TOTAL COST	S 515.00	es es	\$	\$	جم د	
Yearly Cell Service / Quantity 2	ity 2			<u>A</u>	A	
COST EACH	4(0.0)	69	5	\$	\$	
Freight / Quantity 1	3.00		€9	\$	6 4	
	\$ 12100 D			\$	8	
TOTAL COST	847.20 58 847.20 50.8			es e	8	
	2.01				÷	

MODERICO TOWN OF ORANGETOWN

REQUEST TO ATTEND CONFERENCE, MEETING, SEMINAR OR SCHOOL

(Complete and forward to I	Finance Office. Retain c	opy for your records)	
REQUESTING DEPARTM	MENT: DEME	**	C 3/ 10
NAME(S) OF PERSON(S)	TO ATTEND: Day	vid Alvarez	DATE: <u>5-3/-/</u> 8
CONFERENCE, ETC. – NA	AME & LOCATION: /	Morrisville ETC	Grade 3 Supv. & Tec.H.
CONFERENCE, ETC. DAT	E(S): 10/22/18 -	10/26/18	State 5 SUPV. & lect.
WHAT DO YOU EXPECT	TO GAIN FROM ATTE	ENDANCE (ATTACH COPY)	OF BROCHURE)
		RENCE, ETC.:	
ESTIMATED EXPENSES:		CENCE, ETC.:	
	Charge to:	Charge to:	
<u>Item</u>	Schls & &Confs	Travel Exp*	Total
Registration Fee Lodging Meals Travel Other	\$ 575.00	\$ 520.80 200.00 240.35	\$ 575,00 520.80 200.00 240.35
Total	\$ <u>575,</u> ∞	\$ 961-15	\$ 1536.15
*Use if only travel exp	pense involved		
REMAINING BALANCE IN	.441 Account: \$		
IF TRAVEL ONLY, REMAIN			
DEPARTMENT HEAD APPR	OVAL/SIGNATURE (i	f not an attendee):	Man 5/3,/18
FINANCE OFFICE VERIFICA	ATION OF FUNDS AV	AILABILITY: .441-\$.480-S
FOWN BOARD ACTION: A _F	pproved Disappi	ovedDate:	σ φ

Search Morrisville.edu





Courses (/courses/) > Grade 3 Supervision and Technical Operations (/courses/detail.aspx?id=8)

Grade 3 Supervision and Technical Operations

Dates

· Oct 22 - 26, 2018

Description

This 30-hour course meets NYS Department of Environmental Conservation requirements for those persons desiring Grade 3 or higher certification. It is designed to help operators improve supervision and management skills, as well as technical operational skills. This course is a mixture of lecture and classroom interactive activities. The textbook for the course is Manage for Success, by the University of California at Sacramento. The book is available directly from the Morrisville State College Bookstore. It can be ordered in advance by calling (315) 684-6073 or purchased upon arrival on campus for the course.

Topics covered during this course include:

Technical Module includes: Multi-media, Toxics, Odor Control & Nutrient Removal

Supervision Modules include:

Communication & Training Skills
Problem Solving & Decision Making Skills
Planning & Organizational Skills
Health & Safety Issues & Requirements
Personnel Skills including: Team Building, Delegation,
Motivation, & Basic Human Relations Skills

Prerequisites

Basic Operations

Price

\$575

Register for courses (/courses/register.aspx?categoryId=1)

Contact Us

Environmental Training Center

Morrisville State College Crawford Hall, 3rd Floor Morrisville, NY 13408

Phone: 315-684-6082 Fax: 315-684-6609





CI took two classes at the Environmental Training Center, Basic Operations and Activated Sludge. I thoroughly enjoyed both training classes. Stephen was very engaging, we covered a lot of materials in ... more

- May Elprince, Environmental Engineer, NYSDEC, Region 7

QUICK LINKS

Apply (http://www.morrisville.edu/admissions/apply.aspx)

Campus Map (http://map.morrisville.edu/)

Parking Map (http://documents.morrisville.edu/public/files/parking.pdf)

Blackboard (http://www.morrisville.edu/blackboard/)

Web for Students (http://www.morrisville.edu/webforstudents/)

Web for Faculty (http://www.morrisville.edu/webforfaculty/)

Webmail (http://webmail.morrisville.edu/)

Cancellations (http://www.morrisville.edu/cancellations/)

Library (http://library.morrisville.edu/)

Career Services (http://www.morrisville.edu/careerplanning/)

Employment Opportunities (http://www.morrisville.edu/hr/employment.aspx)

Emergency Information (http://www.morrisville.edu/up/emergency.aspx)

Reporting Irregularities (http://www.morrisville.edu/business_office/prevent-fraud.aspx)

CONNECT WITH US

Facebook

Twitter

YouTube

Vimeo

Instagram

LinkedIn

Flickr

(https://www.faceb@dispsol/fiviriterisoriha/9table/oblessis)/ole/ju (https

state-college)

CONTACT US

MORRISVILLE STATE COLLEGE (HTTP://WWW.MORRISVILLE.EDU/)

P.O. Box 901

80 Eaton St.

Morrisville, NY 13408 (http://maps.google.com/maps?

q = 80 + Eaton + St, + Morrisville, + NY + 13408 & h l = en & l = 42.893951, -75.646062 & spn = 0.010548, 0.022724 & s l = 42.890209, -75.640612 & sspn = 0.020312, 0.045447 & vpsrc = 0.010548, 0.022724 & s l = 42.890209, -75.640612 & sspn = 0.020312, 0.045447 & vpsrc = 0.020312, 0.04547 & vpsrc = 0.020312, 0.0203

© 2018 Morrisville State College (http://www.morrisville.edu/). All Rights Reserved. Privacy Policy (http://morrisville.edu/documents/privacypolicy/privacypolicy.pdf)

Personal Information

Or note "Self Employed" Your date of birth (mm/dd/yyyy)
Your date of birth (mm/dd/yyyy)
Your date of birth (mm/dd/yyyy)
Your shoot add a second
Vous character delegant (100 to 1
Your street address (e.g. 123 Main Street)
odeccy
Your work address (e.g. 123 Main Street)
Must be a valid email address
Must be a valid email address In the format ###-###-###

https://etc.morrisville.edu/courses/register.aspx?categoryId=1

Jul 23 - Aug 3, 2018:

Basic Operations of Wastewater Treatment Plants (\$975.00) More Info

Expiration Year:

2018 ▼

Submit Your Information

Note: Unless the ETC is notified of cancellation at least 2 business days prior to the course start date, you will be billed for the entire course.

Submit Registration





WASTEWATER OPERATOR CERTIFICATION COURSES - 2018 CALENDAR

BASIC OPERATIONS Feb 26 - Mar 9, 2018 Apr 30 - May 11, 2018 Jul 23 - Aug 3, 2018 Sep 24 - Oct 5, 2018 Dec 3 - 14, 2018 (Prerequisite: 6 months experience in plant operations recommended)	\$975	Grade 3 SUPERVISION & TECHNICAL OPERATIONS (Prerequisite: Basic Operations) Jan 29 - Feb 2, 2018 1 Day Tech (Jan 29th) \$150 Jun 25 - 29, 2018	\$575
BASIC LABORATORY Jan 8 - 12, 2018 Mar 19 - 23, 2018 May 21 - 25, 2018 Jul 9 - 13, 2018	\$575	1 Day Tech (Jun 25th) \$150 Oct 22 - 26, 2018 1 Day Tech (Oct 22th) \$150	
Aug 27 - 31, 2018 Nov 5 - 9, 2018 (Prerequisite: Basic Operations)		Grade 4 MANAGEMENT Apr 16 - 18, 2018 Sep 5 - 7, 2018	\$450
ACTIVATED SLUDGE Jan 16-19, 2018 Apr 2 - 5, 2018 Jun 4 - 7, 2018 Aug 13 - 16, 2018 Oct 9 - 12, 2018 (Prerequisite: Bas Operations)	\$525	REVIEW CLASS for ABC Exam Feb 9, 2018 Jun 8, 2018 Oct 19, 2018	\$100

Morrisville State College, ETC – Crawford Hall #328 – Morrisville, NY 13408 Email: sawyerc@morrisville.edu Phone: (315) 684-6082 FAX (315) 684-6609

Environmental Training Center's Photos in Timeline Photos

TOWN OF ORANGETOWN

REQUEST TO ATTEND CONFERENCE, MEETING, SEMINAR OR SCHOOL

(Complete and forward to	Finance Office. Retain co	opy for your records.)	
REQUESTING DEPARTMENT: DEME			DATE: 5 31 18
NAME(S) OF PERSON(S	S) TO ATTEND: \bigcirc	chael Weber	DATE. JISIII
CONFERENCE, ETC. – 1	NAME & LOCATION: \bigcup	SEPA NORTHEAS	T PRETROATMONT TRAINING
CONFERENCE, ETC. DA	ATE(S): 626-6/2	-7	
WHAT DO YOU EXPEC	Γ TO GAIN FROM ATTE	NDANCE (ATTACH C	OPY OF BROCHURE): AGONDA ATTACACO
DATE(S) LAST ATTEND	ED A SIMILAR CONFER	RENCE, ETC.:	
ESTIMATED EXPENSES			
	Charge to:	Charge to:	
<u>Item</u>	Schls & &Confs	Travel Exp*	Total
Registration Fee Lodging Meals Travel Other	S FREE	\$	\$
Total	S FREE &	\$	s_445.7H
*Use if only travel expense involved			
REMAINING BALANCE I	N .441 Account: \$		
IF TRAVEL ONLY, REMA	INING BALANCE IN .48	30 Account: \$	
DEPARTMENT HEAD AP			John 5/31/18
FINANCE OFFICE VERIFICATION OF FUNDS AVAILABILITY: .441-\$480-\$			
TOWN BOARD ACTION:	Approved Disapp	roved Date:	

La Quinta Inn & Suites

Latham Albany Airport

833 New Loudon Rd, Latham,NY 12110

GET DIRECTIONS

518-640-2200 Confirmation Number 3226347637

Check in

06/25/18

Check out

06/27/18

Check in time

15:00

Check out time

12:00

rate type

National Government Rate

rate & policy details

Valid with Federal Government or Military ID only. Commissionable

1 room(s) for night(s)

Two Room King Suite w/Sleeper Sofa

\$190.00 USD

Estimated taxes*

\$26.60 USD

Estimated total

\$216.60 USD

* Taxes are estimated, subject to change prior to arrival, and do not include additional fees required by the selected hotel.

Billing Information

**** **** 6631

Expiration Date: 03/22 number OF GUESTS 1

EPA Training for POTWs and States sponsored by EPA HQ, Region 1 and Region 2 Offices Desmond Hotel, Albany, NY

Session	Time	Subject		
Tuesday	June 26, 2018	Day 1		
	12:00-12:30	Registration		
1	12:30-1:00	Introduction and Overview of EPA Pretreatmen Regulations		
2	1:00-1:35	Pretreatment Standards (Prohibitive Standards, Local Limits)		
3	1:35-1:55	Pretreatment Standards (Categorical Regulations)		
1	1:55-2:10	Break		
4	2:10-2:50	Industrial User Surveys		
5	2:50-3:15	Sampling and Identification of Pollutant Sources		
6	3:15-3:30	EPA Update		
Wednesday	June 27, 2018	Day 2		
	8:00-8:30	Registration		
1	8:30-9:00	Industrial User Permitting		
2	9:00-9:15	Permitting Exercise		
3	9:15-10:00	Industrial User Inspections		
	10:00-10:15	Break		
4	1015-10:45	Regulating Non-Categorical SIUs		
5	10:45-11:45	Local Limits (advanced/hands on)		
	11:45-1:00	Lunch		
6	1:00-2:20	Local Limits (advanced/hands on) -cont'd		
7	2:20-3:00	Enforcement		
10/2	3:00-3:15	Break		
8	3:15-3:45	Overview of Categorical Regulations (Metal Finishing)		
	3:45-4:00	Question/Review		



50 Chestnut Ridge Road, Suite 101 Montvale, NJ 07645 T: 845.352.0411 F: 845.352.2611 www.maserconsulting.com

June 25, 2018

VIA E-MAIL

Chris Day, Town Supervisor Town of Orangetown 26 West Orangeburg Road Orangeburg, New York 10962

Re: Proposal for Professional Services

Re-Development of RPC through Infrastructure Upgrades

Town of Orangetown, Rockland County, New York

MC Proposal No. 18003397P

Dear Supervisor Day:

Maser Consulting P.A. is pleased to submit this proposal to provide professional services for the evaluation of Infrastructure Upgrades for the Re-Development of the RPC campus in the Town of Orangetown, Rockland County, New York.

This proposal is divided into four sections as follows:

Section I – Scope of Services

Section II – Client Contract Authorization

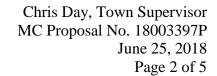
Section III – Business Terms and Conditions

Section IV – Technical Staff Hourly Rate Schedule Reimbursable Expenses

The following scope of services is based upon plan requirements and has been separated into phases so that it may be more easily reviewed. The order in which the phases are presented generally follows the sequence in which the project will be accomplished; however, depending on the project, the various authorized services contained in this proposal may be performed in a sequence as deemed appropriate by Maser Consulting to meet project schedules.

<u>SECTION I – SCOPE OF SERVICES</u>

Based on the information that we have been provided at a meeting with Town representatives, we propose to complete the following Scope of Work:





PHASE 1.0 – CONCEPT DESIGN PHASE

Maser Consulting will perform the tasks necessary for the Concept Design phase of the Infrastructure Upgrades for the re-development of the RPC campus. The areas of focus for this study will include, but will not be limited to the following:

- 1. Roadway Improvements along Third Avenue, which would include Roadway Reconstruction, Roadway widening and the implementation of other facilities such as Bus Shelters, and sidewalks, etc.
- 2. Roadway Realignment of Blaisdell Road and the reconfiguration/improvements at the Intersection of Blaisdell and Old Orangeburg Roads.
- 3. Improvements to the intersection of Old Orangeburg Road (CR 22) with Veterans Memorial Highway (CR 20), which would include re-configuration of Intersection and roadway re-alignments.
- 4. Other potential road improvements around the RPC campus and surrounding area that may contribute to the goal of upgrading the infrastructure.

Phase 1.0 Estimated Budget Fee

\$ 15,000.00

SUBSEQUENT PHASES

Maser Consulting will submit separate proposals to provide services on any potential future phases of this project, such as final design, construction administration, etc. Such proposals would be subject to Town approval and no additional phase fees are included as part of this proposal.

Deliverables

As a result of our concept phase, we will prepare the corresponding Maps, Exhibits and Report discussions which will summarize our findings; all of which will be documented in our final Concept Design Report, and will also include preliminary cost estimates in connection with the various infrastructure improvements recommended.

We anticipate the attendance at two (2) project coordination meetings with representatives from the Town. No additional fees will be billed to the Town in connection with the 2 meetings.



Chris Day, Town Supervisor MC Proposal No. 18003397P June 25, 2018 Page 3 of 5

EXCLUSIONS AND UNDERSTANDINGS

Services relating to the following items are not anticipated for the project or cannot be quantified at this time. Therefore, any service associated with the following items is specifically excluded from the scope of professional services within this agreement:

- Services not specifically outlined above in Section I;
- Advanced Design Plans and Regulatory Permitting.

If an item listed herein, or otherwise not specifically mentioned within this agreement, is deemed necessary Maser Consulting may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra services.



Chris Day, Town Supervisor MC Proposal No. 18003397P June 25, 2018 Page 4 of 5

SECTION II – CLIENT CONTRACT AUTHORIZATION

I hereby declare that I am duly auth that I have read, understand, and acc	norized to sign binding contractual documents. I also declare cept this contract.
Signature	Date
Printed Name	Title
one signed copy to this office. In	e, please sign where indicated above in Section II, and return voices are due within 30 days. This proposal is valid until h appreciate the opportunity of submitting this proposal and ervices for you.
	Very truly yours,
	MASER CONSULTING P.A.
	Nabil Chancer
	Nabil M. Ghanem, P.E.
	John Collins, Ph.D., P.E.
	Principal Associate/Department Manager

NMG/ca

cc: Leonardo E. Ponzio, PLS, Maser Consulting (via e-mail)
R:\Proposals\2018\18003397P\180620_nmg_Proposal _RPC Infrastructure Upgrades_Orangetown.docx

HOURLY RATES



SECTION III – 2018 RATE SCHEDULE MASER CONSULTING P.A.

BILLING TITLES

DIEEHTO HITEEO	11001(21 10/1120				
Executive Principal	295.00				
Principal					
Senior Technical Director	225.00				
Senior Project Manager					
Technical Director					
Project Manager					
Senior Project Specialist	155.00				
Project Specialist					
Technical Professional					
Technical Specialist					
Specialist					
Senior Data Technician	105.00				
Senior Technical Assistant					
Technical Assistant					
Data / Field Technician	75.00				
Survey Crew – 2 Man	200.00				
Survey Crew – 1 Man					
Expert Witness					
Sr. LSRP	270.00				
LSRP	210.00				
REIMBURSABLE EXPENSES					
General Expenses	Cost + 20%				
Travel (Hotel, Airfare, Meals)					
Sub-Consultants/Sub-Contractors					
Mileage Reimbursement*					
Bond/Prints and Black and White Plottin					
Computer Mylars / Color Plots					
Photo Copies					
Color Photo Copies					
Document Binding					
2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3					



10 Patriot Hills Drive Stony Point, NY 10980 Phone: (845) 429 - 7085 Fax: (845) 429 - 8667 www.cce.cornell.edu/rockland/

2018 Stormwater II Education Program Agreement

Summary: Stormwater Phase II Regulations, as administered by the New York State Department of Environmental Conservation (NYSDEC) requires all small regulated Municipal Separate Storm Sewer Systems (MS4s), among other requirements, commit to:

- Minimum Control Measure #1: ... Public Education and Outreach
- Minimum Control Measure #2: ... Public Participation in Stormwater Management
- Minimum Control Measure #6: ... Good Housekeeping for Municipal Operations

Most MS4s are not set up to provide community-wide education; however, Cornell Cooperative Extension, as an agency with 100 years of public education experience in Rockland County, in cooperation with the Rockland County Stormwater Consortium, can provide each MS4 with community education, outreach and involvement in order to satisfy the three Minimum Control Measures listed above.

Cooperative Extension will tap its resources at Cornell University, NYS-DEC, US-EPA and other reputable sources to develop, implement and evaluate an educational program for this MS4. The success of this program depends on participation by all five towns in Rockland and over a dozen villages, all of which contribute to the support of the educator position and responsibilities, as described below. Based on input from the Stormwater Consortium, the following services are being offered to the MS4:

CCE'S RESPONSIBILITIES IN THIS AGREEMENT:

- 1. MCM #1: EDUCATION/OUTREACH: CCE will employ an educator to conduct and evaluate educational programs about stormwater management for the public and for municipal employees within the MS4 district in addition to those in the other districts participating in this agreement. The educational outreach will focus on the town's impact on stormwater through best management practices; proper landscape and facility maintenance; pollution prevention for businesses; proper disposal of trash and hazardous waste; water conservation; and low-impact development. Training topics will be identified based on focus group discussions and input from Stormwater Consortium members.
 - **A.** PLANNING/ZONING BOARD WORKSHOP(S): A class or series of classes will be offered to help members of local planning and zoning boards understand best management practices and make the best decisions in approving site and zoning plans. Input from planning/zoning board members and Stormwater Consortium members will be encouraged to identify training topics. The workshop(s) may be co-sponsored by the *Rockland County Municipal Planning Federation*.
 - B. CLASSES AND WORKSHOP(S): CCE will offer the following classes to specific target audiences:
 - **General Public** *Stream Management* and *Ecological Lawn Care* seminars will be offered. These classes will consider the role that residents play from keeping pesticides, fertilizers and grass clippings out of storm drains to the consequences of improper salting of roads and walkways. Both classes will be offered in each of the five townships.

- Commercial Property Owners and Site Contractors A class focusing on what commercial property owners can expect from their contractors, and how to build a working owner/contractor/municipal inspector dialogue.
- Landscapers A year round seminar highlighting best management practices related to catch basins, fertilizers, pesticides, landscape debris, hazardous waste, etc. All handouts are also offered in Spanish to landscape employees.
- **Municipal Employees** This seminar, on topics pertinent to consortium members, will focus on what to expect during a NYS-DEC inspection.
- **Best Management Practices (BMPs)** for garage maintenance, good housekeeping for municipal operations.
- C. PUBLIC NEWS ARTICLES: Six educational articles focused on various aspects of stormwater management will be submitted to local, countywide newspapers and for publication in town/village/civic and professional newsletters.
- D. PSAs: At least three *Public Service Announcements* about best stormwater management practices will be submitted to local cable TV and/or radio stations for airing to the general public, countywide.
- E. INFORMATION CENTER: CCE will serve as an ongoing resource to community residents through its Horticulture Diagnostic Lab. The lab is open and accessible to the public via personal visit, phone, fax and e-mail. CCE will, for an additional fee, provide soil testing and recommendations for fertilizer application in an effort to limit the use of excess fertilizers.
- F. WEBSITE: A Stormwater Consortium webpage has been added to CCE's website (http://rocklandcce.org/stormwater-consortium). These pages will be updated regularly throughout the year to contain information about best management practices, trainings, and Consortium meetings.
- G. MONTHLY MEETINGS: The Extension Educator will attend the MS4's monthly meeting. If a scheduling conflict arises, another informed CCE representative will attend in his/her place. CCE educator will also coordinate and host the Consortium monthly meetings, and CCE administrative staff will keep meeting minutes.
- H. SITE VISTS: Upon request of the MS4, the Extension Educator will be available for site visits at locations pertinent to MS4s for consultation. Written reports will be submitted to determine any further course of action.
- 2. MS4 #2: PUBLIC INVOLVEMENT/PARTICIPATION: Cooperative Extension will help recruit volunteers and collaborate with other established organizations that deliver the following services for the town:
 - A. Actively promote litter cleanups along streams, beaches and roadways (in cooperation with *Keep Rockland Beautiful, Inc.*).
 - B. Promote the existing Litter Hotline (managed by *Keep Rockland Beautiful, Inc.*) which serves as a community hotline for reporting not only littered spots but water polluters by placing link on Stormwater Consortium webpage to Keep Rockland Beautiful, Inc.
 - C. Build working partnerships between MS4s and the *Rockland County Water Quality Committee* to address stormwater issues of common concern.

3. **WORKING ARRANGEMENTS:**

- A. TERM OF CONTRACT: April 1, 2018 March 31, 2019
- B. SUPERVISION: CCE will employ, train, supervise and evaluate this Educator. Supplies and support will be provided by CCE to allow this Educator to meet the job requirements. During this time, the CCE Educator will be covered by CCE's liability insurance.
- C. EDUCATIONAL INFORMATION: Information provided to community residents will be educational in nature and will come from reputable sources including the NYS-DEC, US-EPA, Cornell University and other credible research-based institutions. CCE will try to remain unbiased and research-based in nature, and not recommend one private business or product over another.
- D. REPORTING: CCE will provide the Town with quarterly reports of deliverables and annual reports summarizing the outreach efforts and any results that have been measured. Only participating MS4s will receive report summaries and reports will only be released if invoice payments by the Town are up-to-date.
- E. PROGRAM APPRAISAL: CCE and the Town will evaluate this agreement at the end of the program year to determine its effectiveness and need to be continued.

4. Town's Responsibilities in this Agreement:

- A. FUNDING: The Town will provide \$6,800 (six thousand eight hundred dollars) to fund this project, to be paid within 60 days after receiving the invoice.
- B. ADDITIONAL COSTS: Any additional costs (e.g. printing of fact sheets, refrigerator magnets, posters, stickers, etc.) will be either paid by the Town directly to the manufacturer or invoiced separately if the work is carried out by CCE.
- C. PROGRAM APPRAISAL: CCE and the Town will evaluate this agreement at the end of the program year in order to determine its effectiveness and need to be continued.

ADMINISTRATIVE CONTACTS:

IDMINISTRATIVE CONTACTS:				
Ann Marie Palefsky, Cornell C 845-429-7085 ext. 119; fax – 4		sion of Rockland, 10 Patriot Hi - aep8@cornell.edu.	lls Drive, Stony Point, NY 10	980; phone
Town representative and title:	,	T C		
Town alternate and title				
Address:				
Daytime phone:				
Fax:	E-ma	l:		
SIGNATURES:				
Town representative and title	Date	Suzanne Barclay Executive Director		
		Cornell Cooperative Exte	nsion of Rockland	





PEARL RIVER DOWNTOWN REVITALIZATION STRATEGY

PROPOSAL

Project Understanding

The Town of Orangetown seeks a downtown revitalization strategy for the hamlet of Pearl River. While the Town's Comprehensive Plan identifies opportunities for revitalizing other hamlet centers, Pearl River is uniquely positioned for physical and economic rejuvenation. The hamlet's key assets include a relatively large downtown, a compact urban form with a mix of uses, and excellent rail connectivity to Secaucus Junction and New York City via the Pascack Valley Line. Over the last twenty years, the population has remained roughly stable in terms of total size while becoming more diverse with a growing Hispanic population joining a large and established Irish community. While the quality of the hamlet's schools and affordable single-family homes remain a draw for families, Pearl River has also been attracting increasing volumes of millennials seeking an urban lifestyle without New York City real estate prices.

At the same time, Pearl River is facing planning challenges that are common for many similarly sized communities in the Hudson Valley. Although housing prices are lower compared to the eastern side of the Hudson River, home sales and rents have been rising especially for one-bedroom apartments. Although restaurants and bars continue to attract a flow of evening patrons, the neighborhood-scale retail offerings along Central Avenue have become smaller and less diverse in the face of competition from on-line shopping and Rockland County's nearby malls. While the comprehensive plan and its update called for urban design improvements, only minimal infrastructure improvements have been implemented in the downtown core over the last decade.

The generation of a downtown revitalization strategy would help the Town of Orangetown crystalize a long-term vision for enhancing the quality of life for its current and future residents while simultaneously unlocking the full economic value of its rail station. Eventually, the Town will also need to craft an implementation plan that specifies zoning changes, infrastructure improvements, and urban design enhancements. As the first step toward change, however, the Town should initially develop a coherent revitalization strategy that is based upon market analysis, land use assessment, and community input. With the completion of this strategy, the Town will then be able to undertake more detailed planning as well as implementation steps such as updates to the comprehensive plan, adoption of a form-based code, solicitations to the real estate development community, or pursuit of funding for infrastructure enhancements.

Proposed Scope of Work

Presented below is a proposed scope of work that would be jointly performed by Pace Land Use Law Center ("LULC") and Kevin Dwarka Land Use and Economic Consulting LLC ("KDLLC"). This scope of work is defined by three key tasks:

- Analyze Real Estate Market Trends
- Document Land Use Opportunities
- Engage Community on Downtown Needs

The work product from these three tasks would be integrated into one unified document, the *Pearl River Downtown Revitalization Strategy*.

Task 1: Analyze Real Estate Market Trends

Using a combination of quantitative data and qualitative observations collected from the real estate community, KDLLC will anticipate the viability of additional residential, retail, and commercial uses within the Pearl River hamlet. KDLLC will contemplate not only the socio-economic and demographic shifts within the hamlet itself bit also the impact of broader regional growth patterns on the expected demand for future transit-oriented development within Pearl River. A core element of this analysis will be evaluating the kinds of development and businesses that could unfold in the area within a ¼ mile of the train station.

Deliverable → Market Analysis

Task 2: Document Land Use Opportunities

In order to assess the development potential along with Pearl River, the project team will analyze (a) current land use conditions (b) proposed development projects and (c) existing zoning regulations. This information will be used in order to identify the opportunities and constraints of infill development along various points of the hamlet and especially around the rail station. The land use analysis will also assess the opportunities within the station area for multi-family housing, flexible work space, and experiential retail. Formulation of zoning recommendations is not included within this task.

Deliverable → Land Use Opportunities Memo

Task 3: Engage Community on Downtown Needs

Public participation is critical to the formulation of a downtown revitalization strategy. Community engagement in the process strengthens the plan by incorporating local knowledge and preferences. Further, a collaborative planning process that includes several methods of public engagement provides a more open, inclusive, and interactive way of involving citizens in the overall process, increasing confidence in and providing support for the plan, which becomes the blueprint and guidance document for future planning decisions.

LULC, along with the assistance of KDLLC, will lead one engagement session on a single day of outreach. LULC will target business owners, property owners, Town leaders, and the community at large. At the engagement, the LULC will jointly summarize and present the findings from the market and land analyses, present the opportunity and benefits of a TOD concept, and offer visual examples of other revitalized hamlet centers.

The community meetings will be led by trained facilitators and recorders. LULC will consult the Town on the marketing and advertising of the public sessions, but will need Town assistance with electronic advertising and distribution. This service does not include the Center printing or reproducing marketing materials. LULC will also create an online visioning preference survey to collect further public input.

LULC will review and synthesize information collected at the session and through the survey and document the Town of Orangetown's residents' goals, objectives, and vision. The public engagement report will discuss resident and stakeholder suggestions for types of land uses, connections, and activities that they would like to experience in Pearl River.

Deliverable → Land Use Opportunities Memo

Final Report

As noted above, the three deliverables will be formalized into the *Pearl River Downtown Revitalization Strategy*, a document that conveys the community's specific hopes for a vibrant center and provides market-based guidance on advancing the concept forward. This statement will not constitute a formal land use or development plan, but will help inform future planning and identify the specific implementation steps that will need to be undertaken by the Town of Orangetown.

Deliverable → *Pearl River Downtown Revitalization Strategy*

Budget and Timeline

LULC and KDLLC can undertake all three tasks and preparation of the final report for \$20,000. From the point of contract execution, we anticipate that the work would be completed within a 10-week period.



NELSON, POPE & VOORHIS, LLC ENVIRONMENTAL . PLANNING . CONSULTING

www.nelsanpapevoorhis.com

MEMORANDUM

TO:

HON, ROSARIO PRESTI, MAYOR

HON. MEMBERS, VILLAGE OF CHESTNUT RIDGE PLANNING BOARD

FROM:

MAXIMILIAN STACH, AICP

SUBJECT:

PROPOSED ZONING TEXT AMENDMENTS FOR PLACES OF WORSHIP

DATE:

FEBRUARY 9, 2017

CC:

WALTER SEVASTIAN, ESQ. - VILLAGE ATTORNEY

As directed by the Board of Trustees we have been working to attempt to revise the Village's code with the purpose of reconciling it with Federal and State law regarding the zoning of religious uses. The Religious Land Use and Institutionalized Persons Act in particular requires that a community impose only the least restrictive means of furthering the compelling public interests when regulating religious uses including through zoning. It also requires that religious uses be treated no less favorably than other nonreligious public assembly uses such as libraries, catering facilities and membership clubs.

In drafting the following proposed regulations, we have considered the input of Brooker Engineering who has been retained by the Orthodox Jewish Coalition (OJC) to represent their interests. We have met with Liz Mello, P.E. and Stuart Strow, P.E. of Brooker Engineering to discuss their concerns, and balance them with the following objectives:

- 1. To comply with Federal and State statutory and case law as previously stated;
- To protect the residential character and quality of existing neighborhoods which currently
 house a diverse population of many faiths, but which all chose Chestnut Ridge in order to live
 in largely high-quality, low-density, single-family detached neighborhoods of a quiet, wooded
 and suburban character;
- To remove impediments to the free practice of religion, such as allowing for smaller-scale places of worship customary to Orthodox congregations which are precluded from driving on holy days;
- 4. To ensure that the regulations of places of worship foresee the needs of other religions, which may choose Chestnut Ridge as their home;

In order to allow for an appropriate range of religious uses as is required by law, without resulting in impacts to existing neighborhood character, several controls and safeguards are necessary. These are primarily designed to limit use of the facilities to truly religious purposes, and to ensure that adequate

parking is provided in a manner that does not change the established residential character of established neighborhoods.

The general framework of the proposed changes is to regulate three types of place of worship. Small Residential Places of Worship would allow religious use of a portion of an existing home by Conditional Use Permit of the Planning Board. A Neighborhood Place of Worship would be allowed by Conditional Use Permit of the Planning Board and would allow for larger congregations of up to 300 persons with more significant screening and other protections. Lastly, the Community Place of Worship would be allowed by Special Use Permit of the Village Board and would largely constitute what is currently permitted on five acre lots with added protections, although a reduction to 3 or 4 acres might be considered.

Article XVIII - Word Usage

Add new terms to Article XVIII:

RESIDENTIAL PLACE OF WORSHIP

The use of no more than 50% of the gross floor area of an existing one-family detached residence for regular organized religious assembly.

NEIGHBORHOOD PLACE OF WORSHIP

The use of a building or structure for regular organized religious assembly in a structure or structures with a total floor area up to 10,000 square feet and other than a residential place of worship. The use may take place in a structure with or without a residential component.

COMMUNITY PLACE OF WORSHIP

The use of a building or structure designed for regular organized religious assembly in structures with a floor area of more then 10,000 square feet.

Article – XII Conditional Use and Special Permit Standards

Add Conditional Use Permit conditions for the newly proposed Place of Worship categories to Article XII:

17. RESIDENTIAL PLACE OF WORSHIP

- A. The building containing the residential place of worship shall comply with all requirements of all applicable building codes of New York State and the zoning code of the Village of Chestnut Ridge.
- B. The maximum number of non-resident persons using the residential place of worship at any time shall be determined by dividing the net lot area by 400 square feet per person up to 60 persons maximum.
- C. No more than 50% of the gross floor area of the structure may be used for the religious assembly.
- D. Accessory facilities and functions such as administrative offices, social halls, public baths, gymnasiums, indoor recreation facilities, schools, and classrooms shall not be permitted in Residential Places of Worship except for the exclusive use of residents and where such are proposed to be available to non-resident congregants, the use shall be considered a Neighborhood Place of Worship.

- E. The residential place of worship shall be located on a lot which conforms with at least 80% of the minimum lot area requirement for one-family detached dwellings in the district in which it is located. The residential place or worship will conform with all other bulk standards for a one-family detached dwelling in the district in which it is located except as follows:
 - (1) For lots of up to one acre in net lot area, the maximum floor area ratio shall be 0.05 greater than is permitted for one-family detached residence in the same zoning district;
 - (2) The maximum development coverage shall be 10 percent more than is permitted for one-family detached residences in the same zoning district.
- F. All required parking spaces should be provided on the lot on which the neighborhood place of worship is located, or on parking facilities including residential driveways within 1500 feet walking distance of the periphery of the lot on which the residential place of worship is located. Where parking is proposed to be located off-site, a letter from the record owner of the off-site facilities shall be provided indicating consent to use the parking facilities and the number of vehicles authorized. Under no circumstances shall parking be located off-site in a manner that would result in unsafe conditions, practical difficulties or nonconformance with the parking requirements for any uses located on the lot providing the off-site facilities. If permission to use the off-site facility is withdrawn, the permittee shall notify the Building Inspector within 72 hours or be in violation of this conditional use. New letters of permission shall be submitted at the time of each permit renewal.
- G. No parking or loading shall be permitted between the structure and any street line on which the property fronts.
- H. All outdoor lighting shall be shielded in a manner to direct lighting away from adjacent properties and the public street. Exterior lighting shall be limited to the minimum requirements by code for safety.
- Architectural Review Board approval shall be required to ensure that all structures shall be in character with the surrounding neighborhood, and be of similar design aesthetic to a one-family detached residence.
- J. The Planning Board shall require adequate screening in the required rear and side yards, to protect the character and compatibility of adjacent uses. Screening can consist of a wall, fence and/or plantings as approved by the Planning Board.
- K. No regularly scheduled religious assembly may be held between the hours of 12:00 AM and 6:00 AM. For the purpose of this provision, regularly scheduled shall mean occurring in greater frequency than three times per calendar year.
- L. No space within the Residential Place of Worship may be rented out to or utilized by non-congregants or used for meetings or functions not directly associated with the Place of Worship.
- M. One building mounted or mailbox hang sign is permitted with no greater than 1.5 square feet on each facing. Any non-English text shall be repeated in English and the appearance and lighting of the sign if necessary, shall be approved by the Planning Board.
- N. Use of any outdoor areas of the property shall be limited to parking and passive recreational use only, which may include a small jungle gym for children, benches and picnic tables.
- O. The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the residential place of worship from adjacent residential properties, outdoor lighting, and other conditions of use of the residential place of worship as, in the judgment of the Board, are necessary for the residential place of worship to be able to operate in a manner that is consistent with public safety and neighborhood character.

- P. The Planning Board shall have the authority, consistent with the purposes of this Chapter and upon a finding that the waiver shall not result in danger to the health, safety and general welfare of the community, neighborhood or area residents, to waive any bulk provision of the zoning chapter, except for the floor area and coverage requirements already relieved herein, by up to 3% by supermajority.
- Q. No cooking facilities will be permitted, other than residential cooking facilities and a warming kitchen equipment for use by the congregants of the residential place of worship. No catering facilities are permitted and no non-religious assembly shall be permitted.
- R. A narrative summary shall be submitted, providing the anticipated number of congregants, square footage of the residential and worship spaces, days and hours of services, and number of parking spaces provided.
- S. Compliance. Failure to comply with any provision of this Section shall be deemed a violation of this Chapter, and may result in revocation of the Conditional Use Permit upon hearing of the Planning Board, and/or any appropriate enforcement proceeding available under any local or State law, ordinance or regulation.
- T. Grandfathering. The provisions of this Section shall not apply to any application for a Residential Place of Worship, which is, as of the effective date hereof, the subject of a Stipulation of Settlement or Order of a court of competent jurisdiction.
- U. Renewal. After the initial issuance of a Conditional Use Permit under this section, the permit shall remain in effect for two years and must be renewed upon expiration or it shall be deemed expired. Where the Place of Worship has not been the subject of a Building Department violation in the preceding two years, an affidavit of no change may be presented to the Building Inspector to allow for renewals without the requirement of a further public hearing upon the requested renewal. An Affidavit of No Change shall include a statement granting permission for the inspection by the Building Inspector to ensure compliance with the occupancy and safety requirements prior to renewal of the Conditional Use permit as well as any necessary letters of permission for off-site parking. After the first renewal, subsequent renewals shall be required every five years. Affidavits of no change may also be presented to the Building Inspector for subsequent renewals.

18. NEIGHBORHOOD PLACE OF WORSHIP

- A. The building containing the neighborhood place of worship shall comply with all requirements of all applicable building codes of New York State and the zoning code of the Village of Chestnut Ridge.
- B. The maximum number of persons using the neighborhood place of worship shall be the maximum number that can comply with the building and fire codes of New York State, as applied to the portion of the structure containing the religious use component.
- C. The maximum square footage of all structures on a lot comprising a neighborhood place of worship shall be 10,000 square feet.
- D. A Neighborhood Place of Worship may or may not include a single residential dwelling unit, but occupancy of the unit shall be limited to congregants and/or clergy and/or their families.
- E. For Neighborhood Places of Worship, the principal use shall be the holding of regularly scheduled religious services. Accessory facilities and functions such as religious schools, social halls, administrative offices, public baths, gymnasiums and indoor recreation facilities may be provided, provided such facilities and functions in their aggregate shall be subordinate to the size and function of the Place of Worship. No building permit or certificate of occupancy shall be granted to such

- accessory use, building or structure until the building permit and certificate of occupancy for the principal use or building, respectively, have been granted.
- F. At least 75% of required parking spaces should be provided on the lot on which the neighborhood place of worship is located. Additional off-site spaces may be provided within parking facilities including residential driveways within 1500 feet walking distance of the periphery of the lot on which the residential place of worship is located. Where parking is proposed to be located off-site, a letter from the record owner of the off-site facilities shall be provided indicating consent to use the parking facilities and the number of vehicles authorized. Under no circumstances shall parking be located off-site in a manner that would result in unsafe conditions, practical difficulties or nonconformance with the parking requirements for any uses located on the lot providing the off-site facilities. If permission to use the off-site facility is withdrawn, the permittee shall notify the Building Inspector within 72 hours or be in violation of this conditional use. New letters of permission shall be submitted at the time of each permit renewal.
- G. No parking or loading shall be permitted between the structure and any street line on which the property fronts, although a dropoff or porte cochere shall be permitted. All loading and delivery areas shall be located in the rear yard and shall be effectively screened to a height to eight feet from all adjacent residential properties and the public street.
- H. All outdoor lighting shall be shielded in a manner to direct lighting away from adjacent properties and the public street.
- I. Architectural Review Board approval shall be required to ensure that all structures shall be compatible with the character of the surrounding neighborhood.
- J. A minimum 10-foot-wide landscaped area shall be provided along all property lines, excluding the front line, and access points. The landscaping shall incorporate plantings, berms, and such other elements as are necessary to screen the facilities.
- K. Neighborhood Places of Worship may allow community groups, neighborhood groups, or non-profit groups to hold meetings no more than once per month, unless otherwise prior approval is obtained from the Village Building Department. No other use by non-congregants for public assembly or social gatherings will be permitted.
- L. No social function or regularly scheduled religious service may be held between the hours of 12:00 A.M. and 6:00 A.M. For the purpose of this provision, regularly scheduled shall mean occurring in greater frequency than three times per calendar year.
- M. No space within the Neighborhood Place of Worship shall be rented out to or utilized by congregants of the Place of Worship except for religious purposes.
- N. Where wedding receptions or other social functions for congregants are held at the Neighborhood Place of Worship, attendance shall be limited to the capacity of the Place of Worship, as well as the available on-site parking.
- O. One freestanding monument sign, no greater than 8 square feet in size and no higher than 3 feet, shall be permitted. Such sign shall be set back at least 10 feet from all property lines and drive aisles. Such sign shall match the architectural style of the principal building and shall not be internally lit. In addition, one facade or wall sign, no more than 8 square feet in size, shall be permitted on the front of the principal building. Signs shall contain English language translation of any text not in English.
- P. Use of any outdoor areas of the property shall be limited to parking and passive recreational use only, which may include a small jungle gym for children, benches, and picnic tables.
- Q. The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the neighborhood place of worship from adjacent residential properties, outdoor lighting, and other conditions of use of the neighborhood place of

- worship as, in the judgment of the Board, are necessary for the neighborhood place of worship to be able to operate in a manner that is consistent with public safety and neighborhood character.
- R. No cooking facilities will be permitted, other than warming kitchen equipment for use by the congregants of the neighborhood place of worship and any kitchen equipment for exclusive use of residents of a residential dwelling unit. No catering facilities are permitted.
- S. The Planning Board shall have the authority via supermajority vote, consistent with the purposes of this Chapter and upon a finding that the modification shall not result in danger to the health, safety and general welfare of the community, neighborhood or area residents, to modify bulk provisions as follows:
 - (1) Increase floor area ratio by up to 0.05;
 - (2) Increase development coverage by 10%;
 - (3) Modify any other bulk requirement of the zoning chapter, by up to 3%.
- T. A narrative summary shall be submitted, providing the anticipated number of congregants, square footage of the sanctuary and other dedicated spaces, days and hours of services, and number of parking spaces provided.
- U. Compliance. Failure to comply with any provision of this Section shall be deemed a violation of this Chapter, and may result in revocation of the Conditional Use Permit upon hearing of the Planning Board, and/or any appropriate enforcement proceeding available under any local or State law, ordinance or regulation.
- V. Grandfathering. The provisions of this Section shall not apply to any application for a Neighborhood Place of Worship, which is, as of the effective date hereof, the subject of a Stipulation of Settlement or Order of a court of competent jurisdiction.
- W. Renewal. After the initial issuance of a Conditional Use Permit under this section, the permit shall remain in effect for two years and must be renewed upon expiration or it shall be deemed expired. Where the Place of Worship has not been the subject of a building department violation in the preceding two years, an affidavit of no change may be presented to the Building Inspector to allow for renewals without the requirement of a further public hearing upon the requested renewal. An Affidavit of no change shall include a statement granting permission for the inspection by the Building Inspector to ensure compliance with the occupancy and safety requirements prior to renewal of the Conditional Use Permit as well as any necessary letters of permission for off-site parking. After the first renewal, subsequent renewals shall be required every five years. Affidavits of no change may also be presented to the Building Inspector for subsequent renewals.

19. COMMUNITY PLACE OF WORSHIP

- A. The maximum number of persons using the community place of worship shall be the maximum number that can comply with the building and fire codes of New York State and the zoning code of the Village of Chestnut Ridge.
- B. No parking or loading shall be permitted between the structure and any street line on which the property fronts, although a dropoff or porte cochere shall be permitted. All loading and delivery areas shall be located in the rear yard and shall be effectively screened to a height to eight feet from all adjacent residential properties and the public street.
- C. Landscape Buffer Area. A minimum 10-foot-wide landscaped area shall be provided along all property lines, excluding the front line, and access points. The landscaping shall incorporate plantings, berms, and such other elements as are necessary to screen the facilities.
- D. A Community Place of Worship may or may not include a single residential dwelling unit, but occupancy of the unit shall be limited to congregants and/or clergy and/or their families.

- E. All outdoor lighting shall be shielded in a manner to direct lighting away from adjacent properties and the public street.
- F. Architectural Review Board approval is required, and all structures shall be in harmony with the character of the neighborhood and community.
- G. For Community Places of Worship, the principal use shall be the holding of regularly scheduled religious services. Accessory facilities and functions such as religious schools, social halls, administrative offices and indoor recreation facilities may be provided, provided such facilities and functions shall be subordinate in aggregate to the size and function of the Place of Worship. No building permit or certificate of occupancy shall be granted to such accessory use, building or structure until the building permit and certificate of occupancy for the principal use or building, respectively, have been granted.
- H. Where wedding receptions or other social functions are held at the Community Place of Worship, attendance shall be limited to the capacity of the Place of Worship, as well as the available on-site parking.
- 1. One freestanding monument sign, no greater than 24 square feet in size and no higher than 6 feet, shall be permitted. Such sign shall be set back at least 10 feet from all property lines and drive aisles. Such sign shall match the architectural style of the principal building and shall not be internally lit. In addition, one facade or wall sign, no more than 21 square feet in size, shall be permitted on the front of the principal building. Signs shall contain English language translation of any text not in English.
- J. Use of any outdoor areas of the property shall be limited to parking and passive recreational use only, which may include a jungle gym for children, benches, and picnic tables.
- K. Functions or services demanding parking in excess of on-site parking shall require a Parking Management Plan (PMP) to be submitted for approval by the Village Board and Building Inspector as part of the Building Permit pursuant to the requirements set forth below. The PMP shall be used to address parking demand during Holy Days for the particular Religion making the application as well as any event of expected high parking demand. Such PMP shall be provided to the Ramapo Police Department and shall address, but not be limited to the following:
 - a. Designated off-site parking areas At least 45 days prior to the holiday, the Applicant shall submit to the Building Department a fully executed written agreement between the Applicant and one or more providers of off-site parking;
 - b. Implementation of group travel to and from the off-site parking locations use of Shuttle Buses;
 - c. Use traffic control measures such as the hiring of an off-duty police officer and/or volunteers to facilitate pedestrian flow, as well as on-site and off-site traffic;
 - d. Notification processes to notify patrons of the Place of Worship and others regarding the locations of off-site parking areas to be used;
 - e. Pre-event registration to obtain a ticket before the holiday to use the on or off-site parking facilities; and
 - f. In the event that off-site parking areas are not available to accommodate the full capacity of the Place of Worship, methods to limit the number of event attendees to the number of attendees that can be accommodated in the on-site parking area or at any available off-site locations by utilization of a pre-event registration system and distribution of tickets to registered persons that will be submitted upon arrival at the site on the day of the event.
- E. The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the community place of worship from adjacent residential properties, outdoor lighting, and other conditions of use of the community place of worship as, in the judgment of the Board, are necessary for the community place of worship to be able to operate in a manner that is consistent with public safety and neighborhood character.

- M. Commercial kitchen and catering facilities are permitted.
- N. A narrative summary shall be submitted, providing the anticipated number of congregants, square footage of the sanctuary and other dedicated spaces, days and hours of services, and number of parking spaces provided.
- O. The Planning Board shall have the authority, consistent with the purposes of this Chapter and upon a finding that the modification shall not result in danger to the health, safety and general welfare of the community, neighborhood or area residents, to modify any bulk provision herein up to 3% by simple majority.
- P. Compliance. Failure to comply with any provision of this Section shall be deemed a violation of this Chapter, and may result in revocation of the Special Permit, and/or any appropriate enforcement proceeding available under any local or State law, ordinance or regulation.
- Q. Grandfathering. The provisions of this Section shall not apply to any application for a Community Place of Worship, which is, as of the effective date hereof, the subject of a stipulation of settlement or order of a court of competent jurisdiction.

Table of Use Requirements

RR-SO

Add "Residential Place of Worship" use to Table of General Use Requirements — Part I: Residential Districts, Column C, as Use #8. Under Column C.1, designate Use Group h

Add "Neighborhood Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #9. Under Column C.1, designate Use Group h

Add "Community Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column D, as Use #10. Under Column D.1, designate Use Group c.

R-40

Add "Residential Place of Worship" use to Table of General Use Requirements — Part 1: Residential Districts, Column C, as Use #2. Under Column C.1, designate Use Group m.

Add "Neighborhood Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #3. Under Column C.1, designate Use Group m

Add "Community Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column D, as Use #4. Under Column D.1, designate Use Group c.

R-35

Add "Residential Place of Worship" use to Table of General Use Requirements — Part I: Residential Districts, Column C, as Use #2. Under Column C.1, designate Use Group q.

Add "Neighborhood Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #3, Under Column C.1, designate Use Group q

Add "Community Place of Worship" use to Table of General Use Requirements – Part 1: Residential Districts, Column D, as Use #5, Under Column D.1, designate Use Group c.

R-25

Add "Residential Place of Worship" use to Table of General Use Requirements — Part I: Residential Districts, Column C, as Use #3Under Column C.1, designate Use Group t.

Add "Neighborhood Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #4Under Column C.1, designate Use Group t

Add "Community Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column D. as Use #5, Under Column D.1, designate Use Group c

R-15

Add "Residential Place of Worship" use to Table of General Use Requirements – Part 1: Residential Districts, Column C, as Use #4,. Under Column C.1, designate Use Group x.1.

Add "Neighborhood Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #5. Under Column C.1, designate Use Group x.1

Add "Community Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column D, as Use #4Under Column D.1, designate Use Group c

<u>RSH</u>

Add "Community Place of Worship" use to Table of General Use Requirements – Part 1: Residential Districts, Column D, as Use #3. Under Column D.1, designate Use Group c

NS

Add "Community Place of Worship" use to Table of General Use Requirements -- Part II: Residential Districts, Column D, as Use #5. Under Column D.1, designate Use Group c

PO

Add "Community Place of Worship" use to Table of General Use Requirements — Part II: Residential Districts, Column D, as Use #4. Under Column D.1, designate Use Group c

PO-R

Add "Community Place of Worship" use to Table of General Use Requirements – Part II: Residential Districts, Column D, as Use #3. Under Column D.1, designate Use Group c

LO

Add "Community Place of Worship" use to Table of General Use Requirements – Part II: Residential Districts, Column D, as Use #4. Under Column D.1, designate Use Group c

<u>11</u>

Remove uses 2 (outdoor recreation) and 3 (commercial recreation) from Table of General Use Requirements – Part II: Residential Districts, Column C.

RS

Add "Community Place of Worship" use to Table of General Use Requirements – Part II: Residential Districts, Column D, as Use #2. Under Column D.1, designate Use Group c



NELSON, POPE & VOORHIS, LLC ENVIRONMENTAL . PLANNING . CONSULTING

www.nelsanpapevoorhis.com

MEMORANDUM

TO:

HON, ROSARIO PRESTI, MAYOR

HON. MEMBERS, VILLAGE OF CHESTNUT RIDGE PLANNING BOARD

FROM:

MAXIMILIAN STACH, AICP

SUBJECT:

PROPOSED ZONING TEXT AMENDMENTS FOR PLACES OF WORSHIP

DATE:

FEBRUARY 9, 2017

CC:

WALTER SEVASTIAN, ESQ. - VILLAGE ATTORNEY

As directed by the Board of Trustees we have been working to attempt to revise the Village's code with the purpose of reconciling it with Federal and State law regarding the zoning of religious uses. The Religious Land Use and Institutionalized Persons Act in particular requires that a community impose only the least restrictive means of furthering the compelling public interests when regulating religious uses including through zoning. It also requires that religious uses be treated no less favorably than other nonreligious public assembly uses such as libraries, catering facilities and membership clubs.

In drafting the following proposed regulations, we have considered the input of Brooker Engineering who has been retained by the Orthodox Jewish Coalition (OJC) to represent their interests. We have met with Liz Mello, P.E. and Stuart Strow, P.E. of Brooker Engineering to discuss their concerns, and balance them with the following objectives:

- 1. To comply with Federal and State statutory and case law as previously stated;
- To protect the residential character and quality of existing neighborhoods which currently
 house a diverse population of many faiths, but which all chose Chestnut Ridge in order to live
 in largely high-quality, low-density, single-family detached neighborhoods of a quiet, wooded
 and suburban character;
- To remove impediments to the free practice of religion, such as allowing for smaller-scale places of worship customary to Orthodox congregations which are precluded from driving on holy days;
- 4. To ensure that the regulations of places of worship foresee the needs of other religions, which may choose Chestnut Ridge as their home;

In order to allow for an appropriate range of religious uses as is required by law, without resulting in impacts to existing neighborhood character, several controls and safeguards are necessary. These are primarily designed to limit use of the facilities to truly religious purposes, and to ensure that adequate

parking is provided in a manner that does not change the established residential character of established neighborhoods.

The general framework of the proposed changes is to regulate three types of place of worship. Small Residential Places of Worship would allow religious use of a portion of an existing home by Conditional Use Permit of the Planning Board. A Neighborhood Place of Worship would be allowed by Conditional Use Permit of the Planning Board and would allow for larger congregations of up to 300 persons with more significant screening and other protections. Lastly, the Community Place of Worship would be allowed by Special Use Permit of the Village Board and would largely constitute what is currently permitted on five acre lots with added protections, although a reduction to 3 or 4 acres might be considered.

Article XVIII - Word Usage

Add new terms to Article XVIII:

RESIDENTIAL PLACE OF WORSHIP

The use of no more than 50% of the gross floor area of an existing one-family detached residence for regular organized religious assembly.

NEIGHBORHOOD PLACE OF WORSHIP

The use of a building or structure for regular organized religious assembly in a structure or structures with a total floor area up to 10,000 square feet and other than a residential place of worship. The use may take place in a structure with or without a residential component.

COMMUNITY PLACE OF WORSHIP

The use of a building or structure designed for regular organized religious assembly in structures with a floor area of more then 10,000 square feet.

Article – XII Conditional Use and Special Permit Standards

Add Conditional Use Permit conditions for the newly proposed Place of Worship categories to Article XII:

17. RESIDENTIAL PLACE OF WORSHIP

- A. The building containing the residential place of worship shall comply with all requirements of all applicable building codes of New York State and the zoning code of the Village of Chestnut Ridge.
- B. The maximum number of non-resident persons using the residential place of worship at any time shall be determined by dividing the net lot area by 400 square feet per person up to 60 persons maximum.
- C. No more than 50% of the gross floor area of the structure may be used for the religious assembly.
- D. Accessory facilities and functions such as administrative offices, social halls, public baths, gymnasiums, indoor recreation facilities, schools, and classrooms shall not be permitted in Residential Places of Worship except for the exclusive use of residents and where such are proposed to be available to non-resident congregants, the use shall be considered a Neighborhood Place of Worship.

- E. The residential place of worship shall be located on a lot which conforms with at least 80% of the minimum lot area requirement for one-family detached dwellings in the district in which it is located. The residential place or worship will conform with all other bulk standards for a one-family detached dwelling in the district in which it is located except as follows:
 - (1) For lots of up to one acre in net lot area, the maximum floor area ratio shall be 0.05 greater than is permitted for one-family detached residence in the same zoning district;
 - (2) The maximum development coverage shall be 10 percent more than is permitted for one-family detached residences in the same zoning district.
- F. All required parking spaces should be provided on the lot on which the neighborhood place of worship is located, or on parking facilities including residential driveways within 1500 feet walking distance of the periphery of the lot on which the residential place of worship is located. Where parking is proposed to be located off-site, a letter from the record owner of the off-site facilities shall be provided indicating consent to use the parking facilities and the number of vehicles authorized. Under no circumstances shall parking be located off-site in a manner that would result in unsafe conditions, practical difficulties or nonconformance with the parking requirements for any uses located on the lot providing the off-site facilities. If permission to use the off-site facility is withdrawn, the permittee shall notify the Building Inspector within 72 hours or be in violation of this conditional use. New letters of permission shall be submitted at the time of each permit renewal.
- G. No parking or loading shall be permitted between the structure and any street line on which the property fronts.
- H. All outdoor lighting shall be shielded in a manner to direct lighting away from adjacent properties and the public street. Exterior lighting shall be limited to the minimum requirements by code for safety.
- Architectural Review Board approval shall be required to ensure that all structures shall be in character with the surrounding neighborhood, and be of similar design aesthetic to a one-family detached residence.
- J. The Planning Board shall require adequate screening in the required rear and side yards, to protect the character and compatibility of adjacent uses. Screening can consist of a wall, fence and/or plantings as approved by the Planning Board.
- K. No regularly scheduled religious assembly may be held between the hours of 12:00 AM and 6:00 AM. For the purpose of this provision, regularly scheduled shall mean occurring in greater frequency than three times per calendar year.
- L. No space within the Residential Place of Worship may be rented out to or utilized by non-congregants or used for meetings or functions not directly associated with the Place of Worship.
- M. One building mounted or mailbox hang sign is permitted with no greater than 1.5 square feet on each facing. Any non-English text shall be repeated in English and the appearance and lighting of the sign if necessary, shall be approved by the Planning Board.
- N. Use of any outdoor areas of the property shall be limited to parking and passive recreational use only, which may include a small jungle gym for children, benches and picnic tables.
- O. The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the residential place of worship from adjacent residential properties, outdoor lighting, and other conditions of use of the residential place of worship as, in the judgment of the Board, are necessary for the residential place of worship to be able to operate in a manner that is consistent with public safety and neighborhood character.

- P. The Planning Board shall have the authority, consistent with the purposes of this Chapter and upon a finding that the waiver shall not result in danger to the health, safety and general welfare of the community, neighborhood or area residents, to waive any bulk provision of the zoning chapter, except for the floor area and coverage requirements already relieved herein, by up to 3% by supermajority.
- Q. No cooking facilities will be permitted, other than residential cooking facilities and a warming kitchen equipment for use by the congregants of the residential place of worship. No catering facilities are permitted and no non-religious assembly shall be permitted.
- R. A narrative summary shall be submitted, providing the anticipated number of congregants, square footage of the residential and worship spaces, days and hours of services, and number of parking spaces provided.
- S. Compliance. Failure to comply with any provision of this Section shall be deemed a violation of this Chapter, and may result in revocation of the Conditional Use Permit upon hearing of the Planning Board, and/or any appropriate enforcement proceeding available under any local or State law, ordinance or regulation.
- T. Grandfathering. The provisions of this Section shall not apply to any application for a Residential Place of Worship, which is, as of the effective date hereof, the subject of a Stipulation of Settlement or Order of a court of competent jurisdiction.
- U. Renewal. After the initial issuance of a Conditional Use Permit under this section, the permit shall remain in effect for two years and must be renewed upon expiration or it shall be deemed expired. Where the Place of Worship has not been the subject of a Building Department violation in the preceding two years, an affidavit of no change may be presented to the Building Inspector to allow for renewals without the requirement of a further public hearing upon the requested renewal. An Affidavit of No Change shall include a statement granting permission for the inspection by the Building Inspector to ensure compliance with the occupancy and safety requirements prior to renewal of the Conditional Use permit as well as any necessary letters of permission for off-site parking. After the first renewal, subsequent renewals shall be required every five years. Affidavits of no change may also be presented to the Building Inspector for subsequent renewals.

18. NEIGHBORHOOD PLACE OF WORSHIP

- A. The building containing the neighborhood place of worship shall comply with all requirements of all applicable building codes of New York State and the zoning code of the Village of Chestnut Ridge.
- B. The maximum number of persons using the neighborhood place of worship shall be the maximum number that can comply with the building and fire codes of New York State, as applied to the portion of the structure containing the religious use component.
- C. The maximum square footage of all structures on a lot comprising a neighborhood place of worship shall be 10,000 square feet.
- D. A Neighborhood Place of Worship may or may not include a single residential dwelling unit, but occupancy of the unit shall be limited to congregants and/or clergy and/or their families.
- E. For Neighborhood Places of Worship, the principal use shall be the holding of regularly scheduled religious services. Accessory facilities and functions such as religious schools, social halls, administrative offices, public baths, gymnasiums and indoor recreation facilities may be provided, provided such facilities and functions in their aggregate shall be subordinate to the size and function of the Place of Worship. No building permit or certificate of occupancy shall be granted to such

- accessory use, building or structure until the building permit and certificate of occupancy for the principal use or building, respectively, have been granted.
- F. At least 75% of required parking spaces should be provided on the lot on which the neighborhood place of worship is located. Additional off-site spaces may be provided within parking facilities including residential driveways within 1500 feet walking distance of the periphery of the lot on which the residential place of worship is located. Where parking is proposed to be located off-site, a letter from the record owner of the off-site facilities shall be provided indicating consent to use the parking facilities and the number of vehicles authorized. Under no circumstances shall parking be located off-site in a manner that would result in unsafe conditions, practical difficulties or nonconformance with the parking requirements for any uses located on the lot providing the off-site facilities. If permission to use the off-site facility is withdrawn, the permittee shall notify the Building Inspector within 72 hours or be in violation of this conditional use. New letters of permission shall be submitted at the time of each permit renewal.
- G. No parking or loading shall be permitted between the structure and any street line on which the property fronts, although a dropoff or porte cochere shall be permitted. All loading and delivery areas shall be located in the rear yard and shall be effectively screened to a height to eight feet from all adjacent residential properties and the public street.
- H. All outdoor lighting shall be shielded in a manner to direct lighting away from adjacent properties and the public street.
- I. Architectural Review Board approval shall be required to ensure that all structures shall be compatible with the character of the surrounding neighborhood.
- J. A minimum 10-foot-wide landscaped area shall be provided along all property lines, excluding the front line, and access points. The landscaping shall incorporate plantings, berms, and such other elements as are necessary to screen the facilities.
- K. Neighborhood Places of Worship may allow community groups, neighborhood groups, or non-profit groups to hold meetings no more than once per month, unless otherwise prior approval is obtained from the Village Building Department. No other use by non-congregants for public assembly or social gatherings will be permitted.
- L. No social function or regularly scheduled religious service may be held between the hours of 12:00 A.M. and 6:00 A.M. For the purpose of this provision, regularly scheduled shall mean occurring in greater frequency than three times per calendar year.
- M. No space within the Neighborhood Place of Worship shall be rented out to or utilized by congregants of the Place of Worship except for religious purposes.
- N. Where wedding receptions or other social functions for congregants are held at the Neighborhood Place of Worship, attendance shall be limited to the capacity of the Place of Worship, as well as the available on-site parking.
- O. One freestanding monument sign, no greater than 8 square feet in size and no higher than 3 feet, shall be permitted. Such sign shall be set back at least 10 feet from all property lines and drive aisles. Such sign shall match the architectural style of the principal building and shall not be internally lit. In addition, one facade or wall sign, no more than 8 square feet in size, shall be permitted on the front of the principal building. Signs shall contain English language translation of any text not in English.
- P. Use of any outdoor areas of the property shall be limited to parking and passive recreational use only, which may include a small jungle gym for children, benches, and picnic tables.
- Q. The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the neighborhood place of worship from adjacent residential properties, outdoor lighting, and other conditions of use of the neighborhood place of

- worship as, in the judgment of the Board, are necessary for the neighborhood place of worship to be able to operate in a manner that is consistent with public safety and neighborhood character.
- R. No cooking facilities will be permitted, other than warming kitchen equipment for use by the congregants of the neighborhood place of worship and any kitchen equipment for exclusive use of residents of a residential dwelling unit. No catering facilities are permitted.
- S. The Planning Board shall have the authority via supermajority vote, consistent with the purposes of this Chapter and upon a finding that the modification shall not result in danger to the health, safety and general welfare of the community, neighborhood or area residents, to modify bulk provisions as follows:
 - (1) Increase floor area ratio by up to 0.05;
 - (2) Increase development coverage by 10%;
 - (3) Modify any other bulk requirement of the zoning chapter, by up to 3%.
- T. A narrative summary shall be submitted, providing the anticipated number of congregants, square footage of the sanctuary and other dedicated spaces, days and hours of services, and number of parking spaces provided.
- U. Compliance. Failure to comply with any provision of this Section shall be deemed a violation of this Chapter, and may result in revocation of the Conditional Use Permit upon hearing of the Planning Board, and/or any appropriate enforcement proceeding available under any local or State law, ordinance or regulation.
- V. Grandfathering. The provisions of this Section shall not apply to any application for a Neighborhood Place of Worship, which is, as of the effective date hereof, the subject of a Stipulation of Settlement or Order of a court of competent jurisdiction.
- W. Renewal. After the initial issuance of a Conditional Use Permit under this section, the permit shall remain in effect for two years and must be renewed upon expiration or it shall be deemed expired. Where the Place of Worship has not been the subject of a building department violation in the preceding two years, an affidavit of no change may be presented to the Building Inspector to allow for renewals without the requirement of a further public hearing upon the requested renewal. An Affidavit of no change shall include a statement granting permission for the inspection by the Building Inspector to ensure compliance with the occupancy and safety requirements prior to renewal of the Conditional Use Permit as well as any necessary letters of permission for off-site parking. After the first renewal, subsequent renewals shall be required every five years. Affidavits of no change may also be presented to the Building Inspector for subsequent renewals.

19. COMMUNITY PLACE OF WORSHIP

- A. The maximum number of persons using the community place of worship shall be the maximum number that can comply with the building and fire codes of New York State and the zoning code of the Village of Chestnut Ridge.
- B. No parking or loading shall be permitted between the structure and any street line on which the property fronts, although a dropoff or porte cochere shall be permitted. All loading and delivery areas shall be located in the rear yard and shall be effectively screened to a height to eight feet from all adjacent residential properties and the public street.
- C. Landscape Buffer Area. A minimum 10-foot-wide landscaped area shall be provided along all property lines, excluding the front line, and access points. The landscaping shall incorporate plantings, berms, and such other elements as are necessary to screen the facilities.
- D. A Community Place of Worship may or may not include a single residential dwelling unit, but occupancy of the unit shall be limited to congregants and/or clergy and/or their families.

- E. All outdoor lighting shall be shielded in a manner to direct lighting away from adjacent properties and the public street.
- F. Architectural Review Board approval is required, and all structures shall be in harmony with the character of the neighborhood and community.
- G. For Community Places of Worship, the principal use shall be the holding of regularly scheduled religious services. Accessory facilities and functions such as religious schools, social halls, administrative offices and indoor recreation facilities may be provided, provided such facilities and functions shall be subordinate in aggregate to the size and function of the Place of Worship. No building permit or certificate of occupancy shall be granted to such accessory use, building or structure until the building permit and certificate of occupancy for the principal use or building, respectively, have been granted.
- H. Where wedding receptions or other social functions are held at the Community Place of Worship, attendance shall be limited to the capacity of the Place of Worship, as well as the available on-site parking.
- 1. One freestanding monument sign, no greater than 24 square feet in size and no higher than 6 feet, shall be permitted. Such sign shall be set back at least 10 feet from all property lines and drive aisles. Such sign shall match the architectural style of the principal building and shall not be internally lit. In addition, one facade or wall sign, no more than 21 square feet in size, shall be permitted on the front of the principal building. Signs shall contain English language translation of any text not in English.
- J. Use of any outdoor areas of the property shall be limited to parking and passive recreational use only, which may include a jungle gym for children, benches, and picnic tables.
- K. Functions or services demanding parking in excess of on-site parking shall require a Parking Management Plan (PMP) to be submitted for approval by the Village Board and Building Inspector as part of the Building Permit pursuant to the requirements set forth below. The PMP shall be used to address parking demand during Holy Days for the particular Religion making the application as well as any event of expected high parking demand. Such PMP shall be provided to the Ramapo Police Department and shall address, but not be limited to the following:
 - a. Designated off-site parking areas At least 45 days prior to the holiday, the Applicant shall submit to the Building Department a fully executed written agreement between the Applicant and one or more providers of off-site parking;
 - b. Implementation of group travel to and from the off-site parking locations use of Shuttle Buses;
 - c. Use traffic control measures such as the hiring of an off-duty police officer and/or volunteers to facilitate pedestrian flow, as well as on-site and off-site traffic;
 - d. Notification processes to notify patrons of the Place of Worship and others regarding the locations of off-site parking areas to be used;
 - e. Pre-event registration to obtain a ticket before the holiday to use the on or off-site parking facilities; and
 - f. In the event that off-site parking areas are not available to accommodate the full capacity of the Place of Worship, methods to limit the number of event attendees to the number of attendees that can be accommodated in the on-site parking area or at any available off-site locations by utilization of a pre-event registration system and distribution of tickets to registered persons that will be submitted upon arrival at the site on the day of the event.
- E. The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the community place of worship from adjacent residential properties, outdoor lighting, and other conditions of use of the community place of worship as, in the judgment of the Board, are necessary for the community place of worship to be able to operate in a manner that is consistent with public safety and neighborhood character.

- M. Commercial kitchen and catering facilities are permitted.
- N. A narrative summary shall be submitted, providing the anticipated number of congregants, square footage of the sanctuary and other dedicated spaces, days and hours of services, and number of parking spaces provided.
- O. The Planning Board shall have the authority, consistent with the purposes of this Chapter and upon a finding that the modification shall not result in danger to the health, safety and general welfare of the community, neighborhood or area residents, to modify any bulk provision herein up to 3% by simple majority.
- P. Compliance. Failure to comply with any provision of this Section shall be deemed a violation of this Chapter, and may result in revocation of the Special Permit, and/or any appropriate enforcement proceeding available under any local or State law, ordinance or regulation.
- Q. Grandfathering. The provisions of this Section shall not apply to any application for a Community Place of Worship, which is, as of the effective date hereof, the subject of a stipulation of settlement or order of a court of competent jurisdiction.

Table of Use Requirements

RR-SO

Add "Residential Place of Worship" use to Table of General Use Requirements — Part I: Residential Districts, Column C, as Use #8. Under Column C.1, designate Use Group h

Add "Neighborhood Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #9. Under Column C.1, designate Use Group h

Add "Community Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column D, as Use #10. Under Column D.1, designate Use Group c.

R-40

Add "Residential Place of Worship" use to Table of General Use Requirements — Part 1: Residential Districts, Column C, as Use #2. Under Column C.1, designate Use Group m.

Add "Neighborhood Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #3. Under Column C.1, designate Use Group m

Add "Community Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column D, as Use #4. Under Column D.1, designate Use Group c.

R-35

Add "Residential Place of Worship" use to Table of General Use Requirements — Part I: Residential Districts, Column C, as Use #2. Under Column C.1, designate Use Group q.

Add "Neighborhood Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #3, Under Column C.1, designate Use Group q

Add "Community Place of Worship" use to Table of General Use Requirements – Part 1: Residential Districts, Column D, as Use #5, Under Column D.1, designate Use Group c.

R-25

Add "Residential Place of Worship" use to Table of General Use Requirements — Part I: Residential Districts, Column C, as Use #3Under Column C.1, designate Use Group t.

Add "Neighborhood Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #4Under Column C.1, designate Use Group t

Add "Community Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column D. as Use #5, Under Column D.1, designate Use Group c

R-15

Add "Residential Place of Worship" use to Table of General Use Requirements – Part 1: Residential Districts, Column C, as Use #4,. Under Column C.1, designate Use Group x.1.

Add "Neighborhood Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #5. Under Column C.1, designate Use Group x.1

Add "Community Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column D, as Use #4Under Column D.1, designate Use Group c

<u>RSH</u>

Add "Community Place of Worship" use to Table of General Use Requirements – Part 1: Residential Districts, Column D, as Use #3. Under Column D.1, designate Use Group c

NS

Add "Community Place of Worship" use to Table of General Use Requirements -- Part II: Residential Districts, Column D, as Use #5. Under Column D.1, designate Use Group c

PO

Add "Community Place of Worship" use to Table of General Use Requirements — Part II: Residential Districts, Column D, as Use #4. Under Column D.1, designate Use Group c

PO-R

Add "Community Place of Worship" use to Table of General Use Requirements – Part II: Residential Districts, Column D, as Use #3. Under Column D.1, designate Use Group c

LO

Add "Community Place of Worship" use to Table of General Use Requirements – Part II: Residential Districts, Column D, as Use #4. Under Column D.1, designate Use Group c

<u>11</u>

Remove uses 2 (outdoor recreation) and 3 (commercial recreation) from Table of General Use Requirements – Part II: Residential Districts, Column C.

RS

Add "Community Place of Worship" use to Table of General Use Requirements – Part II: Residential Districts, Column D, as Use #2. Under Column D.1, designate Use Group c



MEMORANDUM

TO:

Mayor Presti

Village of Chestnut Ridge Board of Trustees

FROM:

Allan Rubin, Chairman

Village of Chestnut Ridge Planning Board

SIBIFCT

Proposed Local Law to amend Zoning Code

Houses of Worship

DATE:

May 29, 2018

The Planning Board reviewed the proposed Local Law. While the Planning Board recognizes that the Village Board feels the Zoning Code has to be amended to provide reasonable accommodation for the needs of religious uses, we feel the provisions of this Local Law have the potential to significantly disrupt the peaceful and quiet harmony associated with single family zoning districts and alter single family neighborhoods and impact the quality of life of the residents of the Village. A proliferation of houses of worship at the scale permitted by the Local Law will negatively impact homeowners by allowing for large structures to be built in single family zones. The associated parking issues, noise, and traffic can severely impact the neighboring single family dwellings, especially if more than one place of worship is sited on a single block.

The Planning Board's comments and concerns are as follows:

General Comments

1. The Planning Board recommends that the Village adopt a comprehensive master plan before entertaining the proposed local law and that the impacts of the proposed local law be considered as part of the master plan review.

- 2. The Village Board should look at the environmental impacts on individual neighborhoods as opposed to the Village as a whole as part of the SEQRA review. There may be some neighborhoods within the Village that may be impacted more significantly than others by the adoption of the proposed local law.
- 3. We question why only the input of one religious organization (the Orthodox Jewish Coalition) was considered in connection with the drafting of the proposed local law. The proposed law is designed to favor one religious institution over another. We are concerned that it may be unconstitutional and prohibited pursuant to the Establishment Clause of the First Amendment.

Comments Regarding Residential Place of Worship (RPW)

- 1. The Planning Board is concerned that a proliferation of these uses on a single street will severely negatively impact the residents of the block. The Board suggests that consideration be given to placing a limitation on the number of RPW on a street or that a minimum distance between uses be established.
- 2. 17.B- Why is the net lot area being used to determine the number of non-resident persons using the RPW instead of the gross floor area? The 60 person limit is too large for a single family zone. That many people coming and going on a regular basis will alter the character of the neighborhood in a negative manner. The Village Board should be aware that once the occupancy load of a structure reaches 50 people, the structure is considered a place of public assembly and different building code standards will apply. How is this going to be enforced to ensure that the RPW does not exceed its maximum occupancy and become a public health and safety hazard?
- 3. 17.D- How will the issue of accessory facilities be policed to insure compliance with the law? How will the Village know if such accessory facilities are being used by non-resident congregants? The term "residents" should clearly specify that it applies to residents of the home.

- 4. 17.E- The 80% minimum lot size requirement, together with the FAR and development coverage bonuses will allow substantially larger houses on smaller lots. It is possible that the proposed local law will be relied upon for a resident to build a larger house than he would otherwise be allowed to build by calling it an RPW. Has an analysis been done of the number of single family residences in each residential zoning district and the size of those lots to determine how many are noncompliant with the requirement? How does the recently enacted local law that eliminates the calculation of cellars in the FAR of a single family dwelling impact this provision? Will a proposed RPW be able to take advantage of the exclusion of cellars to be able to build yet a larger structure that may be out of character with the neighborhood?
- 5. 17.F- The word "neighborhood" in the first sentence is to be changed to "residential." There was total consensus that parking should be required on site. The parking issue has the potential to significantly disrupt a neighborhood, especially if cars are parked in the street and on both sides of the road. The parking could impede traffic flow and

prevent emergency service providers from getting to the RPW. With regard to offsite parking, what is going to be considered legal offsite parking? Will it be cars in a driveway in the front yard where it is not currently permitted? Will the offsite houses have to come in and also be approved for parking of vehicles on their lots? What if cars park on the front lawn? If a neighbor withdraws consent to allow parking, how will the Village know? What will happen once consent is withdrawn and the RPW cannot get further consent of offsite parking? All required parking should be provided onsite. The Planning Board has the discretion to waive up to 25% of the required parking spaces and to land bank spaces where appropriate pursuant to Article VII.1.A and B of the Zoning Code. If the Village Board does allow offsite parking, the proposed distance of 1500 feet (over a quarter of a mile) seems too far and should be limited to 500 feet walking distance.

- 6. 17.K- The hours of operation have the potential to impact the neighbors. The Planning Board felt that allowing functions to continue until 12:00 AM or to start at 6:00 AM will disturb the immediate neighbors. The uses should end earlier in the evening and not start until later in the morning. Further, the term "regularly scheduled religious assembly" should be omitted and replaced with "religious assembly." Weddings, b'nai mitzvahs, bris' and other religious assembly of these types occurring in a residential neighborhood will disrupt the peace and enjoyment of the neighbors.
- 7. 17.M- No additional lighting should be allowed beyond what exists for a single family dwelling. No building signs should be permitted. These uses are designed to serve the immediate neighborhood and congregants will know where the RPW is located without resort to building and mailbox signage.
- 8. 17.N- The term "passive recreational use" should be defined. The Village Board should consider limiting the size of the playground and outdoor spaces.
- 9. 17.P- The Planning Board should not be in a position of having to grant any variances from the zoning code in connection with its review of a site plan and conditional use. Any deviations from the requirements should be a matter for the Zoning Board of Appeals to determine. A zoning board is required to follow statutory and case law criteria in considering applications for variances. The local law does not provide any such criteria for the Planning Board to follow in determining when to grant a waiver. This discretion should not be left to the Planning Board and may lead to claims that the Planning Board is acting in an arbitrary manner when they grant or refuse to grant a waiver.
- 10. 17.S- If this provision is to be implemented, procedures for the conduct of such hearings should be included.
- 11. A provision should be added to prevent the cessation of the use of the single family component of the RPW. It should be clear that the discontinuance of the use of the single family component terminates the conditional use of the house for organized religious assembly.

- 12. Occupancy of the RPW should be limited to the clergy and their family members.
- 13. Instead of allowing the RPW to encompass 50% of the gross floor area of a single family dwelling, the size of the premises used for organized religious assembly should be limited by a maximum square footage as well (e.g. 50% or no greater than 800 square feet).

Comments Regarding Neighborhood Place of Worship (NPW)

- 1. 18.D- Occupancy of a residential component of the NPW should be limited to the clergy and their family members.
- 2. 18.E- Schools and social halls will disrupt the single family nature and character of a residential neighborhood on such small lots. The minimum lot size should be increased if an NPW will be using the premises for the stated accessory functions. Schools should not be permitted in an NPW due to the potential negative impacts it can create for the neighbors. We suggest that the NPW be required to have a minimum acreage of 2 acres. If the NPW seeks permission for the stated accessory uses, the minimum lot size should be increased to 3 acres.
- 3. 18.F- As with 17.F, the parking issue has the potential to significantly disrupt a neighborhood. All required parking should be provided onsite.
- 4. 18.K- This section appears to be in conflict with 18.M. This section permits use of the NPW by community groups while 18.M prohibits the use of the NPW for rental or congregants except for religious functions.
- 5. 18.L- As with 17.K, the hours of social functions should be limited.

the confidence of the wat he and built leading to the life in the life of the life is a little of

- 6. 18.P- The term "passive recreational use" should be defined. The Village Board should consider limiting the size of the playground and outdoor spaces.
- 7. 18.S- As with 17.P, the Planning Board should not be in a position of having to grant any variances from the zoning code in connection with its review of a site plan and conditional use. The bonus provisions should be eliminated.
- 8. Generally, the Planning Board did not like the fact that NPW had no standardized minimum lot size, but rather was keyed to the minimum lot size for a home in that district. Especially if functions are going to be permitted within a NPW, the minimum lot size should be greater that the district lot sizes, but something less than 5 acres.
- 9. The Planning Board feels that the local law should be limited to RPW and Community Places of Worship and that NPW should be removed from the proposed law. The NPW is too intense of a use to be permitted on standard size residential lots.

ting a support for the continuous said that the ball the ball to be the continue to the continue to

Comments Regarding Community Place of Worship (CPW)

- 1. 19.D- Occupancy of a residential component of the CPW should be limited to the clergy and their family members.
- 2. 19.E- All lighting should be restricted so that it does not leave the subject property.
- 3. 19.G- Change the term "religious schools" to "religious study" in the second sentence.
- 4. 19.J- The term "passive recreational use" should be defined. The Village Board should consider limiting the size of the playground and outdoor spaces.
- 5. 19.K- Requiring a Parking Management Plan (PMP) is a good idea but the terms of this provision should to be revisited. It does not seem feasible to wait to develop a PMP when functions and/or services demanding parking in excess of onsite parking requirements are planned. The PMP should be developed at the time of special permit approval and the input of the Town of Ramapo Police Department should be sought at that time.
- 6. 19.O- As with 17.P and 18.S, the Planning Board should not be in a position of having to grant any variances from the zoning code in connection with its review of a site plan.
- 7. The Village Board should consider limits on the hours of operation for any uses, catered events and/or functions that are not in the nature of religious worship.

TOWN OF ORANGETOWN FINANCE OFFICE MEMORANDUM

TO: THE TOWN BOARD

FROM: JEFF BENCIK, DIRECTOR OF FINANCE

SUBJECT: AUDIT MEMO

DATE: 6/22/18

CC: CHARLOTTE MADIGAN, DEPARTMENT HEADS



The audit for the Town Board Meeting of 6/26/18 consists of 5 warrants for a total of \$3,660,750.94.

The second warrant had 7 vouchers for \$26,584.76 and had the following items of interest.

- 1. Best Choice Trailers (p2) \$8,332.50 for Parks trailer.
- 2. Financial Risk Analysis (p4) \$6,900 for actuarial services for the audit.

The third warrant had 104 vouchers for \$1,333,739.42 and had the following items of interest.

- 3. Applied Golf (p2) \$141,164.00 for Blue Hill contract.
- 4. Applied Golf (p2) \$68,649.01 for Broadacres contract.
- 5. Carter, Ledyard & Milburn LLP (p6) \$15,834.72 for outside legal counsel.
- 6. Capasso and Sons (p6) \$48,564.75 for recycling.
- 7. CSEA Employee Benefit Fund (p8) \$30,303.72 for dental benefits.
- 8. De Lage Landen (p8) \$15,908.40 for Blue Hill golf cart leases.
- 9. Met Life (p13) \$13,940.26 for police dental insurance.
- 10. NYS Dept. of Civil Service (p15) \$768,686.33 for CSEA healthcare.

The fourth warrant had 21 vouchers for \$124,313.75 and was for utilities.

The fifth warrant had 516 vouchers for \$1,910,441.26 and had the following items of interest (2018 items).

- 1. Accela (p4) \$13,041.50 for IT Services.
- 2. Brooker Engineering (p26) \$33,142.50 for Home for Heroes Project.
- 3. Brown & Weinraub (p27) \$8,000 for outside counsel.
- 4. Candle (p28) \$17,566.25 for Substance Abuse prevention.

- 5. CIT Technology Fin Services (p31) \$8,426.11 for software.
- 6. D&E Uniforms (p36) \$21,309.15 for Police uniforms.
- 7. Dutra Excavating (p40) \$15,770.03 for sewer work.
- 8. Eagle Point Guns (p42) \$24,610.12 for ammunition.
- 9. ESC Environmental (p44) \$8,400 for sewer chemicals.
- 10. Fiber Technologies (p48) \$6,470 for connectivity.
- 11. Fleet Pump & Service Group (p49) \$40,513 for emergency pump repair.
- 12. Global Montello (p58) \$45,936.94 for fuel.
- 13. Goosetown (p59) \$29,944.22 for Police rental equipment.
- 14. Hudson Valley Engineering (p66) \$5,621.40 for corridor link (Highway).
- 15. JCI Jones (p69) \$10,281.60 for sewer chemicals.
- 16. Johnson Controls (p72) \$11,301.37 for chiller repair.
- 17. NYS Dept. of Civil Service (p94) \$767,358.16 for CSEA healthcare.
- 18. PKF O'Connor Davies (p104) \$24,725 for auditing services.
- 19. Ruscon Truck Service (p121) \$6,943.14 for Highway Truck repair.
- 20. Sprague Operating Resources (p129) \$15,111.35 for fuel.
- 21. State Comptroller (p138) \$35,371.00 for Justice fines.
- 22. Tilcon NY (p84) \$53,582.57 for Highway materials.
- 23. TRC Environmental (p148) \$12,501.17 for odor studies.
- 24. Verde Electric (p150) \$7,436.66 for traffic signal maintenance.

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

Jeffrey W. Bencik 845-359-5100 x2204