

**ZONING BOARD OF APPEALS
OF THE TOWN OF ORANGETOWN**

NOTICE OF PUBLIC HEARING

**Due to Impending Storm. Tonight's ZBA meeting is being postponed until Monday,
March 26, 2018 at 7PM in Court Room I, at Orangetown Town Hall, 26 West
Orangeburg Road, Orangeburg, NY 10962.**

PLEASE TAKE NOTICE that a Public Hearing will be held by the ZONING BOARD OF APPEALS (“ZBA”) of the TOWN OF ORANGETOWN (“Town” or “Orangetown”), in Court Room I, at Orangetown Town Hall, 26 West Orangeburg Road, Orangeburg, NY 10962, on **Wednesday, March 21, 2018, at 7:00 PM**, to consider the following application (ZBA #18-19), submitted by Orangetown’s Office of Building, Zoning and Planning Administration and Enforcement (“OBZPAE”):

IMPLEMENTATION OF SPECIFIC CONDITION 4 OF THE 05/11/2017 ZBA DECISION #17-31 (“DECISION #17-31”), REGARDING THE PERFORMANCE STANDARDS APPLICATION OF API INDUSTRIES, INC. D/B/A ALUF PLASTICS (“ALUF”), FOR PREMISES LOCATED AT 2 GLENSHAW STREET, ORANGETOWN, NY, AS MORE SPECIFICALLY DESCRIBED IN THE 02/16/2018 REPORT TO THE ZBA BY JANE SLAVIN, R.A., DIRECTOR OF OBZPAE, AND MICHAEL MANZARE, BUILDING INSPECTOR OF OBZPAE, WHICH APPLICATION, AND REPORT, BY OBZPAE, IS SUMMARIZED BELOW (OBZPAE’S 02/16/2018 REPORT TO THE ZBA MAY BE VIEWED, AND/OR COPIES OBTAINED FOR A FEE, AT OBZPAE’S OFFICES DURING REGULAR BUSINESS HOURS):

OBZPAE’s 02/16/2018 report was submitted to the ZBA as per Specific Condition 4 of Decision #17-31, which Specific Condition 4 states (in relevant part for this Notice):

“OBZPAE shall investigate any alleged violation of Performance Standards by [Aluf], and, if there are reasonable grounds to believe that a violation exists, ... OBZPAE shall notify the ZBA of the occurrence or existence of a probable violation thereof, and the ZBA shall investigate the alleged violation, and for such investigation may employ qualified expert consultants; and if, after holding a Public Hearing on due notice, including notice to [Aluf] ... the ZBA finds that a violation occurred or exists, the ZBA may revoke and rescind [approval Decision #17-31], and any Building Permit and/or Certificate of Occupancy that has been issued, based upon [approval Decision #17-31], shall also be deemed revoked and rescinded”

OBZPAE’s 02/16/2018 report to the ZBA also referenced Specific Conditions 2 and 3(b) of Decision #17-31, which said Specific Conditions state (in relevant part for this Notice):

“2. Pursuant to Orangetown Zoning Code §4.13, §10.334(c) and §10.335, initial and continued compliance with the Performance Standards shall be required, and any Building Permit or Certificate of Occupancy issued shall be conditioned on, among other things, [Aluf’s] completed installations, in operation, conforming to the Performance Standards, and [Aluf’s] paying of

the fees, to the Town, for services of the Town's own expert consultant, or consultants, deemed reasonable and necessary by ... [OBZPAE], and/or the ZBA, for advice as to whether or not [Aluf's] completed installations will, in operation, conform, or are conforming, to the Performance Standards, and as prescribed in the following Conditions #3 and #4.

3. [Aluf's] initial and continued compliance with the Performance Standards shall include the following: ... Inspections and/or testing, on-site while installations are in operation, by OBZPAE ... and/or the Town- retained expert consultants, to the extent, type and/or degree that OBZPAE ... and/or the Town's expert consultants deem necessary."

OBZPAE's 02/16/2018 report to the ZBA also set forth "Personal Observations of OBZPAE Staff," covering the period of 11/20/2017 through 02/01/2018, which, in summary, formed the factual bases for OBZPAE's determination, decision and/or interpretation, as a result of OBZPAE's investigations, that the observed "facts, information, circumstances, occurrences, incidents and/or situations ... constitute and/or establish reasonable grounds to believe that violations of the Orangetown Zoning Code's Performance Standards, as prescribed in Decision #17-31, have been committed by Aluf." A full copy of said Personal Observations of OBZPAE Staff is contained within OBZPAE's 02/16/2018 report to the ZBA, which may be viewed, and/or copies obtained for a fee, at OBZPAE's offices during regular business hours.

All persons interested in OBZPAE's foregoing application to the ZBA are entitled to be heard at the Public Hearing. The complete application may be inspected at the Office of Building, Zoning and Planning Administration and Enforcement (OBZPAE), 20 South Greenbush Road, Orangeburg, NY 10962, during regular business hours, and copies may be made upon request for a fee.