

NOTICE OF PUBLIC HEARING OF

THE ORANGETOWN ZONING BOARD OF APPEALS

Please take notice that a Public Hearing will be held by the

Zoning Board of Appeals

of the Town of Orangetown, Rockland County, New York in the Greenbush Auditorium,

20 South Greenbush Road, Orangeburg, New York at 7:00 P.M. on

Wednesday, September 5, 2018

At the public hearing, the Board shall consider the following items:

CONTINUED ITEM:

ZBA #18-19: submitted by Orangetown's Office of Building, Zoning and Planning Administration and Enforcement ("OBZPAE") — *this 09/05/2018 Public Hearing will be for the sole purpose of the ZBA's consideration of proposals that were submitted to OBZPAE, by prospective expert consultants to the ZBA, in response to a Request for Proposals that was issued by OBZPAE regarding this application, and the ZBA's recommendation to the Town Board with respect to the retaining of one of the consultants'*

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, ORANGEBURG, 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issued, based upon [approval Decision #17-31], shall also be deemed revoked and rescinded”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.

NEW ITEMS:

ZBA#18-51: Application of Brian and Jennifer Bond for a variance from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-15 District, Group M, Section 3.12 Column 8 (Front Yard) for a front porch addition at an existing single-family house. The premises are located at 67 Wildwood Drive, Pearl River, New York and are identified on the Orangetown Tax Map as Section 69.17, Block 4, Lot 24; in the R-15 zoning district.

ZBA#18-52: Application of William Caruso for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-15 District, Group M, Section 5.227 (Rear Yard

for swimming pool) and for an existing shed (rear yard: 5' required) and from Section 5.153 (Distance between principal structure and accessory structure) for an existing pool and sheds at an existing single-family residence located at 32 Ross Place, Tappan, New York and are identified on the Orangetown Tax Map as Section 74.17, Block 4, Lot 45; in the R-15 zoning district.

ZBA#18-53: Application of Michael and Kathleen Burke for a variance from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-15 District, Section 5.226 (Front Yard Fence Height) for a six-foot fence at an existing single-family residence. The premises are located at 48 Phillips Lane, Pearl River, New York and are identified on the Orangetown Tax Map as Section 69.17, Block 5, Lot 15 in the R-15 zoning district.

ZBA#18-54: Application of Gina Fennel for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-15 District, Group M, Section 3.12, Columns 9 (Side Yard), 10 (Total Side Yard) and 11 (Rear Yard) for a deck at an existing single-family residence. The premises are located at 19 Greene Street, Tappan, New York and are identified on the Orangetown Tax Map as Section 77.06, Block 2, Lot 29 in the R-15 zoning district.

ZBA#18-55: Application of Bless Enterprise for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, LI District, Column 8 (Front Yard), 9 (Side Yard), 11 (Rear Yard) and from Section 3.11, LI District, Column 6 refers to CS District, Column 6 # 4 (parking spaces required) and from Section 13.10 (B)(6) (Pre-existing use as Auto repair shop); Section 13.10 (B) (2) (25' wide vegetative buffer required) and from Section 9.34 (Extension or Enlargement of a non-conforming use: One time expansion up to but not exceeding an aggregate of 50% of its floor area) for the expansion of an existing Auto repair Business. The Business is located at 187 Route 303, Orangeburg, New York and is identified on the Orangetown Tax Map as Section 74.15, Block 1, Lot 8; in the LI zoning district.

ZBA#18-56: Application of Palisades Veterinary Hospital for a Special Permit from Zoning Code (Chapter 43) of the Town of Orangetown, Section 3.11, R-80 District, Column 3 Uses b Special Permit #7 (Animal Hospitals) and from Section 3.12, R-80 District,, Group D, Columns 5 (Lot Area); 6 (Lot Width), 9 (Side Yard), 10 (Total Side Yard) and from Section 5.227 (Accessory Structure rear yard for two sheds) at a proposed Animal Hospital. The property is located at 37 Hunt Road, Orangeburg, New York and is identified on the Orangetown Tax Map as Section 73.15, Block 1, Lot 11; in the R-80 zoning district.

